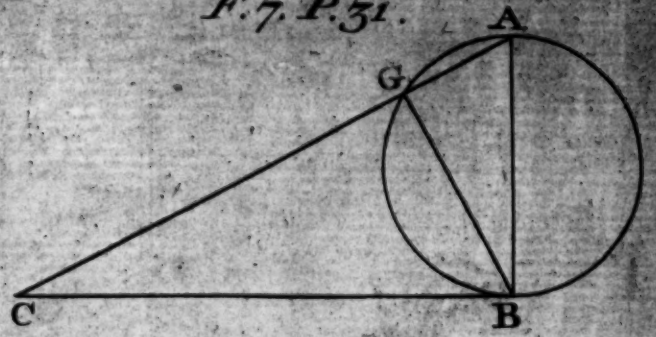
F. 7. P. 31.



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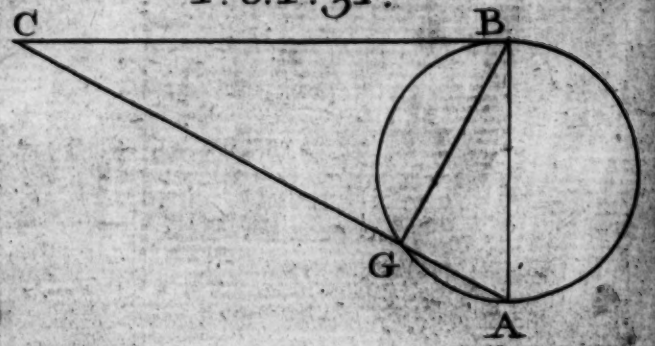

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THREE

LETTERS

RELATING TO THE

NAVY, GIBRALTAR,

AND

PORTMAHON.

If an extraordinary Liberty is assumed in these Letters, vouchsafe, my Countrymen, to hear these Truths which are mentioned only for your good. DEMOST. 3 Olyn.

LONDON:

Printed for A. MILLAR, in the Strand; and sold by S. BLADON, in Pater-Noster Row.

MDCCLVII.

[Price Two Shillings.]

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PREFACE

TO THE READER.

THESE letters were wrote in the years 1747, and 1748, at the requeſt of a very worthy member of the houſe of commons, who was deſirous of being informed about ſome things, relating to the Navy, and to Gibraltar, and Minorca. As they were deſigned for his peruſal only, there is a negligence in the ſtile, and a liberty of thought and digreſſion, which would have been avoided, had they been originally intended for the public. However with all their faults, they are now publiſhed for reaſons too obvious to every reader: if there are any uſeful hints offered, which may be improved by thoſe in power to the benefit of

their country, this is all the author deſires, and the beſt and the only excuſe he can make to the public.

A war begun, and carried on without vigour or foreſight, and fleets fighting without courage or reſolution, are circumſtances but too ſimilar with thoſe, mentioned in the letters; but, as the faults lately committed ſomewhere, are more notorious and enormous than any in the late wars, ſo the conſequences have already been more fatal, and will ſtill be more ſo, unleſs prevented by a very different conduct both in the miniſter, and the officer.

Whoever reflects upon the fatal events, which this year has produced, cannot blame that ardour and impatience, which the people of England expreſs for a ſtrict enquiry to be made into the cauſes of thoſe loſſes, and that diſgrace, which this nation has ſuſtained, after the moſt large and liberal ſupplies had cheerfully been granted for carrying on the war with vigour.

The fortune of war is uncertain; and, if our loſſes be only owing to the uncertainty of all human things, we muſt acquieſce with that ſubmiſſion to providence, which becomes frail dependent beings; but, if they are owing to treachery, or folly and inattention

at

at home, and cowardice abroad, then we ſhall be wanting to ourſelves, and acceſſary to our own ruin, if we do not, in the beſt manner we can, guard againſt the continuance of our misfortunes for the future.

The nation have reaſon to hope, that they, who preſide, will gratify their expectations both from a ſenſe of their duty to their king and country, and from the prudence and neceſſity of the thing. If the war is not carried on with vigour, our ruin is unavoidable; and to carry it on as it ought, will require ſuch immenſe ſums, that it cannot be expected, that the people will ſubmit with patience to that grievous load of taxes, which muſt be impoſed upon them, if the miniſtry do not give them this mark of their integrity and good intention; this will ſecure them the confidence of the people, and free them from the imputation of their being deſirous of power only to procure to themſelves and their relations honour and wealth, and not for the public good; this will give the people hopes of better ſucceſs for the time to come; as they will have a proſpect of wiſer meaſures being taken in the cabinet, and greater reſolution and valour being exerted in the field and in the fleet.

Indeed ſome methods have been lately uſed to perplex and confound the people. Mr. B—— accuſes the late M—y, and the late M—y Mr. B——; but it is to be hoped, that the nation will not ſuffer themſelves to be ſo perplexed by this, as to loſe the purſuit of the real criminals, whoever they are. There are at leaſt ſuch appearances of guilt in both, that whoever is innocent, muſt wiſh for a ſtrict enquiry, that his innocence may appear——and it is the duty and the intereſt of the miniſter, and of the nation to detect the guilty, that they may be puniſhed, and their puniſhment be a terror and warning to others.

Two enquiries are to be made, which are perfectly diſtinct and independent of each other. The firſt is, why the ſecurity of Minorca was not ſooner attended to, and not only a reinforcement ſufficient for the defence of it, but likewiſe a fleet ſtrong enough to prevent its being attacked, ſent to the Mediterranean. The ſecond is, whether admiral B——when he was there, did his duty in the engagement, and afterwards uſed all the means he could to reinforce the place.

Minorca is at ſuch a diſtance from England, and ſo near the French coaſt, that, as

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ſoon as we began to take the French ſhips, it was very natural to expect, that the French would endeavour to diſpoſſeſs us of it, if there was any probability of ſucceeding. Conſidering then the length of the navigation from hence to that place, and the uncertainty of the ſea, prudence ſurely required an immediate reinforcement to be ſent to the garriſon, eſpecially as the M——y could not but know, that the regiments there, if full and complete, were much too weak to defend the place, and that many of their officers were abſent from their poſts; and that no aſſiſtance was to be expected from the inhabitants, but the contrary.

It is very probable, that the French threatened an invaſion of England, without fully intending it, only to alarm us, and oblige us to keep our ſhips at home; nay 'tis poſſible that if we had weakened our fleet too much by ſending large ſquadrons to America, they might have put their threats in execution, and actually made a deſcent here, which it was the duty of our miniſtry to prevent, or provide againſt; but this could be no objection againſt ſending a ſtrong fleet to the Mediterranean; for, if our whole fleet be ſuperior to that of the French as four to three (and I believe it is ſuperior in

a greater proportion than that) then if twenty five, or twenty ſail of the line had been ſent to block up twenty or ſixteen ſail of the French at Toulon, it is evident to a demonſtration, that we ſhould ſtill have preſerved our ſuperiority here, even in a greater degree, than we have in the whole.

When our ſhips cruize off Breſt, or any of the French ports in the channel, they may by the weather be driven away, and the French have it in their power to ſail out unmoleſted by us; but our ſquadron might have lain in Hieres Bay in perfect ſecurity, which is ſo near Toulon, that it would have been impoſſible for the French fleet there to have ſailed out without their knowledge, either to attack Minorca, or to go away privately to America; and our ſhips might eaſily have been ſupplied with freſh proviſions from Italy or Sardinia, and two at a time gone to Minorca to be cleaned, ſo that not a ſhip there need have been more than nine or ten months without cleaning; a few cruizers then would have made us maſters of the Mediterranean, and not only protected our own trade there, but deſtroyed the French.

And, as our fleet was ſent too late, ſo was it likewiſe too weak for the purpoſe. When

ſuch

ſuch a valuable place, as Minorca; was at ſtake, as little was to be left to chance, as poſſible; it could not be depended upon, that Commodore Edgecombe would join Mr. Byng; the French admiral might very probably have prevented it, and without that junction, Mr. B—— would have been too weak indeed, and the fault would have been imputed to the M——y only. They could not be ignorant of the weakneſs of the garriſon of Minorca, nor of the advantages of Hieres Bay, and the conveniency it afforded for a fleet's lying there in ſafety from the winds; one would think too, that they might have known the number of ſhips at Toulon: That therefore, Minorca was not more timely and more powerfully ſuccoured, ſeems to carry in it too ſtrong an appearance of treachery and corruption, or at leaſt, a ſhameful neglect at home. And the manner, in which the intelligence of the French landing there, was received in England, gives too plauſible an appearance to this preſumption. Every body immediately gave the iſland over for loſt; not one of the miniſtry offered to ſay, that any care had been taken for its ſecurity; and General Blakeney's holding out ſo long, ſeemed to be, what they did not expect.

Some indeed ſay, that it is abſurd to ſuppoſe that any of our M——y could be guilty of corruption or treachery, becauſe it was their intereſt to be faithful to their king and country, who reward their ſervants ſo munificently, that they need not ſeek for rewards elſewhere. I ſhall very readily allow, that the real intereſt of a miniſter is the ſame with that of his country; but real intereſt and apparent are not always the ſame, and it is too common a thing to prefer appearances to reality. When we are told that Count Bruhl, prime miniſter to the King of Poland, Elector of Saxony, is a penſioner of France, we do not ſcruple believing it; tho' it may be ſuppoſed that his maſter pays him ſo well, that it is both his duty and intereſt to be faithful. And, when we read in Burnet or Eachard, that a cabal ſold themſelves to the French king, in Charles the IId's time, we give credit to the hiſtorians, without ſeeing any abſurdity in their aſſertion. And, if a ſtrict enquiry be not made here, to demonſtrate what were the real cauſes of this ſhameful neglect, whatever the preſent age may do, poſterity will probably believe, that Minorca was loſt by the influence of French gold, or the moſt amazing ſeries of negligence. But whatever overſights or faults might have been committed

ted at home; whatever might be the cauſes of theſe faults, Admiral B—ng's conduct may not be juſtified. It is then to be enquired, how he behaved, when he got there, and whether he did all in his power to deſtroy the enemy, and relieve the place.

Both he, and general Fowke ſeem to have acted upon the ſame preſumption, that they did in England, that Minorca muſt be immediately loſt, and that any ſuccours thrown into it, if that were practicable, would not preſerve the place, but add to the loſs, and therefore the troops intended, or ſaid to be intended, to be ſent from Gibraltar, were refuſed: the fact has ſhewn, that this opinion was wrong, and that ſuccours timely landed would have ſaved the place.

Mr. B—b's apologiſts have given a very circumſtantial account of his prudent behaviour and zeal to ſuccor the garriſon till the 18th or 19th of May, 'that he wrote a letter to Mr. Blakeney, to let him know, that he was arriv'd to aſſiſt him, if poſſible, and to receive his directions how to do it effectually, and ſent it by captain Harvey, but was obliged to make the ſignal for recalling him, before the letter was delivered, by the ſight of the French fleet.' But they give us no ſatiſ-

ſatisfactory account of his behaviour in the action, or after it.

Mr. B—— ſays, 'We may juſtly claim the victory.' And what uſe did he make of that victory? —Why, to go back again to Gibraltar, and to have the PLEASURE of telling Mr. C——d, that he left Minorca upon the point of being taken without endeavouring to throw any ſuccors into it. Strange uſe of a victory! Conquerors uſually purſue the conquered——But that would have been to no purpoſe; for they ſailed three feet to his one, therefore they could have got away from him.—— They might perhaps; but St. Philip's caſtle could not have ſailed away; that ought to have been the object of his attention: then he ought to have endeavoured to have ſent the letter to Mr. Blakeney, and have learned from him, who knew the ſtate of the place, whether it was practicable to land any ſuccors, rather than from a council of war, who delivered their opinion upon uncertain reports. But Mr. B—— ſays, two of his ſhips were ſo much damaged, that they could not at ſea be made fit for another engagement. But is it not reaſonable to ſuppoſe, that ſince the enemy retired, and left the victory to us, they had ſuſtained as much damage as we had? they had no harbour to retire into, any more than

we

we had, and conſequently laboured under the ſame diſadvantages in refitting. But Mr. B—n's Apologiſt tells you, the French fleet was greatly ſuperior, if not in number of ſhips, yet, at leaſt, in number of men and weight of metal, and gives you a dreadful account of the force of their balls, and the horrid miſchief they can do, more than the Engliſh balls. The account he gives is falſe, both as to the number of guns, and the proportion of the balls. Without entering into ſpeculation, let us examine the fact, as it really was. Part, and only part, of our ſquadron engaged the enemy, and made them retire: It would ſeem then, that our balls did at leaſt as much execution as theirs did. Mr. B—n's ſhip, as he ſays, was engaged with the Foudroyant, the dreadful Foudroyant! and what damage did he ſuſtain? not a man either killed or wounded. He certainly then did not engage, as a Britiſh admiral ought; —perhaps he could not; that is the point to be cleared.

One of Mr. B—n's advocates gives us the determination of a council of war, upon their being called to give their opinion upon ſeveral queries. I am told it was a maxim of Sir George Byng (whoſe opinion and example, it were to be wiſhed, had had more force with the

the Admiral, that no general, who had a mind to fight, ſhould call a council of war; but, if he wanted an excuſe to avoid fighting, then he ſhould call one. I have ſeen the ſame maxim in ſeveral military writers. I ſhall not examine into the reaſon of it, but only ſay, that hiſtory furniſhes abundance of inſtances of the truth of it. Mr. B—— took this method, and ſhelters himſelf with their determination for his ignominious return to Gibraltar. But, perhaps, it may not be ſo good a juſtification, as he imagines: All opinions of a council muſt be founded upon the repreſentation of things, that occaſion the queſtions propoſed; if falſe repreſentations be given, very wrong determinations may be made. Let us examine them particularly.

I. Whether an attack upon the French fleet gives any proſpect of relieving Minorca?

Unanimouſly agreed, that it would not.

II. Whether, if there was no French fleet cruizing off Minorca, the Engliſh fleet could raiſe the ſiege?

Unanimouſly of opinion, that the fleet could not.

III. Whether Gibraltar would not be in danger by any accident, that might befal this fleet?

Unanimouſly agreed, that it would be in danger.

IV.

IV. Whether an attack with our fleet in the preſent ſtate of it upon that of the French will not endanger the ſafety of Gibraltar, and expoſe the trade of the Mediterranean to great hazard?

Unanimouſly agreed, that it would.

V. Whether it is not moſt for his Majeſty's ſervice that the fleet ſhould proceed immediately to Gibraltar?

We are unanimouſly of opinion, that the fleet ſhould proceed immediately to Gibraltar.

This, reader, is the account Mr. B—'s apologiſt gives of the reſolutions of this council. But, before the fault, if there be any, be charged upon ſo many, it would be but right to know, what influence was uſed, and what repreſentations were made of things, to obtain theſe anſwers, which ſeem very extraordinary to people at a diſtance. I ſhall examine every query diſtinctly.

I. Whether an attack upon the French fleet gives any proſpect of relieving Minorca?

Unanimouſly agreed, that it would not.

If this determination proceeded from the opinion of the engineers given under their hands, as mentioned by Mr. B—'s apologiſt, that it appeared to them extremely dangerous, if not impracticable, to throw ſuccours into St. Philips, two queſtions are to be aſked.

Whether the principal of thoſe engineers did not change his opinion in that particular, after he left England? and if he did, what induced him to change his opinion? However, as they did not determine it to be abſolutely impoſſible, it was ſurely worth while to attempt it, as Minorca was inevitably gone without ſuccours.—There are many competent witneſſes now in England who can tell, whether it was practicable to land any ſuccours in Minorca, or not. If it was, an haſty determination of a council of war, procured perhaps upon a falſe repreſentation, or by undue influence, will be no juſtification;—nor can it be thought a vindication of Mr. B—, if it proceeded from a bad opinion of his conduct *.

Q. II. Whether if there was no French fleet cruizing off Minorca, the Engliſh fleet could raiſe the ſiege?

Unanimouſly agreed, that the fleet could not.

Undoubtedly the fleet could not have forced the French army to have raiſed the ſiege directly; but, if by throwing ſuccours into the garriſon, General Blakeney would have been enabled to man the works, and allow his ſoldiers ſome reſpite from fatigue, the

* 'Tis probable it will appear, that tho' Mr. B--- had landed no ſuccours, but had only prevented the French from landing any more troops, St. Philips would not have been taken.

French

French troops could never have taken it, and muſt at laſt, if we had been maſters of the ſea, have been made priſoners themſelves.

Q. III. Whether Gibraltar would not be in danger by any accident, that might befal the fleet?

Unanimouſly agreed, that it would be in danger.

Minorca was in the moſt imminent danger, and the more valuable of the two, and therefore its relief to be attempted firſt. The French would not leave Minorca, before they had taken St. Philips, and then they would want tranſports, and a reinforcement of troops likewiſe, before they could attempt Gibraltar; and it would have been very ſtrange indeed, if before they could do all theſe things, ſuccours did not arrive from England. In fact they did arrive.

Q. IV. Whether an attack with our fleet in the preſent ſtate of it, will not endanger the ſafety of Gibraltar, and expoſe the trade of the Mediterranean to great hazards?

Unanimouſly agreed, that it would.

The author of theſe letters has obſerved, that to palliate the cowardly behaviour of ſome in the fleet, the way of reaſoning was, to conſider the worſt, that could poſſibly happen, then to conclude it certainly would happen,

pen, and to act accordingly: this is the way of reaſoning here; but may it be for ever deteſted by all Britiſh Commanders for the future, may it prevail only among our enemies.

Mr. B—'s apologiſt quotes one of Mr. Fouquiere's maxims, that a General ought not to fight, if he can gain nothing by the victory; but here every thing concurred to urge him to fight at all events. In deſperate caſes deſperate remedies muſt be applied. Minorca was upon the point of being loſt. Nothing could ſave it, but throwing ſome ſuccours into the place, nor could this be attempted, without beating the French fleet, which if done, the French army would not have been ſufficient without further reinforcements to carry on the ſiege, which our victory at ſea would have prevented; the French army themſelves muſt have been made priſoners, and an attempt, which has now been too ſucceſsful, would then have been looked upon as raſh and ridiculous.

Indeed undue influence, falſe repreſentations, and an unfair ſtate of the caſe ſeem to have been uſed to obtain the council of war's determination. Permit me, candid reader, to propoſe another ſet of queries, which might not improperly have been offered,

fered to the council of war, and would have ſet the thing in a very different light.

I. Whether Minorca would not be inevitably gone unleſs ſome ſuccours were thrown into St. Philips?

II. Whether there be any poſſibility of doing this, but by beating the French fleet?

III. Whether it is not reaſonable to ſuppoſe, that as the French retired before the Engliſh, their ſquadron was not at leaſt as much damaged, as ours in the action?

IV. Whether, it might not be poſſible, if the French fleet was beaten, to throw ſome ſuccours into the place, which would enable General Blakeney to hold out againſt a much greater force, than the French had in Minorca?

V. Whether, if the Engliſh ſquadron ſhould be beaten, it might not reaſonably be ſuppoſed, that at leaſt one half of the French fleet would be ſo much damaged in the action, as to be obliged to return to Toulon to refit?

VI. Whether it could be ſuppoſed that the French would leave Minorca, to attack Gibraltar, before they had taken the caſtle of St. Philips; and when they had taken that, whether more men, ſhips of war, and tranſports would not be abſolutely neceſſary,

before they could make that attempt, and in the mean time whether a ſupply from England to Gibraltar, might not reaſonably be depended upon?

VII. Whether the Mediterranean trade was likely to be moſt expoſed by admiral B—'s continuing in the Mediterranean, or going out of it?

VIII. Whether in the deſperate ſituation of things, it was not abſolutely neceſſary for Admiral B— to run ſome hazard, and rather to attend to the immediate preſervation of Mahon, than the remote danger of Gibraltar?

Which of the two ſets of queries was the moſt proper to be laid before a council of war, and to put things in a true light, and what anſwer muſt have been given to them, is left to the judgment of the candid reader.

It may be thought that the Obſervations in the third letter relating to Minorca are now needleſs, as that place is unhappily loſt; but, beſides that it is to be hoped, that no peace will be made, unleſs the Iſland be reſtored to Britain, it is not in Minorca alone, that we have ſuffered by the neglects there mentioned. Nova Scotia was ceded to us by the treaty of Utrecht, at the ſame time that Minorca was, and we neglected there, as well

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as in Minorca, taking any methods to bring the French inhabitants over to the proteſtant religion, by which means they are ſtill our implacable enemies, and deſirous of nothing more, than ſhaking off our yoke, and returning to the obedience of their old Maſter. And that ſhameful neglect in our colonies of inſtructing their ſlaves in the Chriſtian religion, founded upon falſe principles of law, as well as policy, will one day prove fatal to us. It is generally believed, that a ſlave, when baptized, becomes free; but I am well aſſured baptiſm will make no alteration in property, and yet I believe it would prove in the end much more profitable to the planters to make the Negroes good tenants, than to keep them in a ſtate of cruel ſubjection; and one time or other we may be convinced that to keep men in a ſtate of ignorance of true religion is not the way to continue our colonies in our poſſeſſion.

The author is ſenſible, that many will laugh at him for recommending religion in all his letters, as the moſt powerful motive to inſpire men with courage, integrity, and truth, and as an excellent inſtrument of government in the hands of a wiſe adminiſtration; but, if his opinion appear ſomething ſingular now, he has all the wiſe legiſlatures

of

of antiquity on his ſide, nor will he give it up for the jeſts of the ſcorner. He believes our affairs would proſper better, if both the ſenator and the people were more attentive to know, and to practiſe the will, and more zealous to promote the glory of that Being, who is the Lord of hoſts, and gives the victory to whomſoever he pleaſes.

BRITISH MUSEUM

LETTER I.

On the Reaſons of the MISCONDUCT and MISCARRIAGES of the NAVY.

Wrote in the Year 1747.

——Si quid noviſti rectius iſtis
Candidus imperti.——
O cives, cives, quærenda Pecunia primum eſt
Virtus poſt Nummos.—— HOR.

BRITISH MUSEUM

SIR,

NOTHING has more ſurprized the Britiſh nation, than the behaviour of our navy, during the preſent war. The ſeamen were a body of men always highly eſteemed by the people, and thought ſuperior not only in ſkill, but in courage likewiſe, to all others in Europe; from them therefore they expected, not only protection from their enemies, but likewiſe conqueſt over them, and cheriſhed, and careſſed them more than any other ſet of men; never denying them any encouragement, which a miniſter propoſed, and often preventing, and even forcing the miniſtry to grant them greater rewards, than were deſigned.

But ſince the commencement of this war, inſtead of our fleets being ſucceſsful and victorious over our enemy, we hear ſcarce of any thing but continual diſgrace and infamy attending them. Almoſt every poſt brings

us ſome freſh account of the cowardly, or baſe, or blundering behaviour of our commanders. If we have not ſuffered a total defeat, one would almoſt be tempted to think, from what has happened, that it is rather owing to the neceſſary and unavoidable engagements, our enemies lay under to exert themſelves by land, which have diſabled them from making any great efforts at ſea, than to our own courage and conduct*. Tho' our navy be ſuperior to the united fleets of our enemies, yet we have no triumphs to boaſt of, but over their merchant ſhips; and even there they have had a more ample revenge, than, conſidering the number of our ſhips of war, might reaſonably have been expected; for our captains have not always expreſſed as much ardor to protect their friends, for which they were to expect no reward but thanks, and perhaps a piece of plate, as to enrich themſelves by the capture of a weak and defenceleſs enemy.

How contemptible this behaviour has made

* This is not the caſe now; our enemies have no land war to carry on, no enemy to contend with, but us, and we may be ſure they will exert their whole force againſt us; they are endeavouring all they can to embroil us with other nations alſo; if therefore the utmoſt care be not taken to keep treachery from the council, and cowards from the fleet by a ſtrict enquiry, and upon detection exemplary puniſhment, our ruin is unavoidable.

our

our fleet to the reſt of Europe, may fairly be concluded from the late conduct of the King of Naples, and even of the little republic of Genoa, * whoſe territory being ſituated upon the ſea coaſt, is all as it were within the reach of our cannon; who yet have joined our enemies in violation of treaties very lately concluded, and in defiance of our power. Some efforts indeed were made to puniſh the latter, but ſo weakly and unſucceſsfully, that they only added to our ſhame, and their arrogance. 'Tis true the Auſtrians have ſince made them ſuffer ſeverely; but we contributed ſo little to their ſucceſs, that it redounds nothing to our credit, however we may have gained by it in point of intereſt.

And what is ſtill more, tho' the miſconduct of our commanders has been ſo frequent and notorious; tho' the nation has been ſo highly and juſtly exaſperated; tho' the parliament, fully convinced, that there had been faults of the moſt ſcandalous and ignominious kind, interpoſed their authority, and addreſſed his majeſty, that the perſons among

* The Genoeſe, 'tis ſaid, are now aſſiſting our enemies; but conſidering the tyranny of their government, and the vicinity of their territories to the ſea; it would not be a difficult matter for an able miniſter and brave commander to reduce their power very low indeed.

whom there certainly had been a moſt ſhameful behaviour upon a very important occaſion, might be tried, in order that the offenders might be diſcovered, and brought to exemplary juſtice, that others might be deterred from the like ſcandalous conduct; tho' in purſuance of this addreſs, a court martial was appointed, and the expectations of all men raiſed with the hopes of ſeeing the courage and diſcipline of the navy revived by a neceſſary and laudable ſeverity; yet after a long, tedious, and chargeable proſecution, tho' none doubted that there had been great and ſhameful faults ſomewhere, none were capitally convicted; only a few were broke, and rendered incapable of the ſervice, which, as they had already made their fortunes in it, was in reality neither any puniſhment to them, nor any reparation to the ſervice they had ſo ſcandalouſly diſgraced, nor ſatisfaction to a nation they had ſo groſsly and ſenſibly injured.

When the nation failed of juſtice here in ſo ſolemn and conſpicuous a trial, it is leſs to be wondered at, that only one offender, tho' many offenders there were, has been condemned to death, and that a poor, young, unexperienced lieutenant; but there are many, who to this day, wanton in the ſpoils taken from merchant ſhips, and are honoured with com-

commands in a ſervice, which they have endeavoured to render infamous by their cowardice and neglect, as if the members of court martials were conſcious to themſelves, that they would have acted in the ſame manner, had they been in the ſame circumſtances with the accuſed, and could not condemn a behaviour in others, which they would have been guilty of themſelves.

Men have from hence concluded, that it was equally vain either to expect courage in action, or juſtice on the bench from our captains, who ſeemed reſolved neither to fight themſelves, nor to puniſh thoſe, that did not; (I ſpeak of the opinion men had of the generality; for we have lately ſeen ſome inſtances of great bravery and honour, tho' it muſt be owned they are too rare) and upon this preſumption, they have gone from one extreme to another, and inſtead of regarding the navy with affection and eſteem, no propoſals have lately been liſtened to with greater approbation, than ſuch, as tend to leſſen the pay, or fix marks of infamy and diſtruſt upon ſea officers in general --- ſuch as trying delinquents at courts of common law --- or joining an equal number of captains of merchant men with captains of men of war in court martials; tho' the firſt of theſe, conſidering the intricacy of ſea affairs,

and how ignorant lawyers muſt be of them, would render it almoſt impoſſible for the guilt of a cunning offender ever to be detected, and the other would be ſuch a ſtanding reproach upon the navy in general, that no man of ſpirit would continue in a ſervice, thus branded with perpetual marks of ignominy and diſtruſt, and both theſe expedients would in many caſes be impracticable, and liable to many inconveniencies of the ſame kind with thoſe they were intended to prevent, and to others of a yet more dangerous nature *.

But it is not by ſuch methods as theſe, that the reputation of our fleet is to be recover'd; on the contrary, all that could be expected from them, would be, that they would reduce our fleet to the level of a Portugueſe navy, which was once in as much reputation as that of any ſtate in Europe, but now is held in the greateſt contempt.

To recover the wonted glory of the navy, the utmoſt endeavours ought to be uſed to revive principles of honour and a ſpirit of emulation among the officers of the navy; and this is not to be done by methods, which

* Theſe were the ſubjects of common diſcourſe, when this letter was firſt wrote; but they don't deſerve to be anſwered at large, their own abſurdity is a ſufficient anſwer.

fix marks of ignominy and diſtruſt upon all the captains of the navy in general. I believe extraordinary ſeverity is at this time neceſſary; but let that ſeverity be ſhewed to thoſe only, who have deſerved it. Others whoſe characters are hitherto clear and unſpotted, ſhould be treated by the publick, with all thoſe marks of reſpect, which their ſtation, and the ſervice they may do their country, may claim. I believe it ought to be a general maxim in all governments never to ſhew a diſtruſt of any man, to whom they have committed any poſt of conſequence; and the military ought always to be careful to keep their honour and reputation unſullied.

It ought to be remembered that a fleet, as it is the moſt natural, ſo it is of any human means the ſafeſt bulwarke that our nation can truſt to for its defence. Strong garriſons and numerous armies are always burthenſome to the place where they are, and too often prove fatal to the liberties of their country, which they ought to protect. And a regular militia may often prove rebellious and factious, of which Poland is a conſtant and pregnant inſtance.* But a fleet can neither be employed

* 'Tis true a militia may ſometimes prove rebellious, but it very rarely happens, except when a miniſtry act contrary

ployed by an ambitious miniſter to deſtroy the liberties of the nation, nor by a faction to bring about a revolution; it can only be formidable to foreign enemies, and no otherwiſe fatal to its country, but by cowardice, treachery, or neglect. So important and deſireable a bulwark is not therefore to be paſſionately thrown down and deſpiſed; but every proper method ought to be uſed to repair its breaches, and reſtore it to its ancient firmneſs and ſplendour.

It was my intention, Sir, at firſt, to have given you my ſentiments upon every thing, which occurred to my obſervation concerning the navy—The hardſhips, abuſes, deficiencies incident to the ſervice, and to point out, what appeared to me the moſt likely way to remedy what was amiſs, and ſupply what was wanting; and tho' I am firmly perſuaded that many better ſchemes may be laid down by much abler hands, yet if any uſeful hint can be given to them, whoſe duty and ſtation it is to watch, and provide for the public ſafety, that, and the integrity of the intention, will, I hope, attone in ſome mea-

trary to the intereſt and honour of their country; and a miniſtry, who oppoſe the eſtabliſhment of a regular militia, may very juſtly be ſuſpected of having views very contrary to the public intereſt, or at leaſt to the general inclinations of the people.

ſure

ſure for the imperfectneſs of the perfor-
mance. In a country like England every
one has the privilege of propoſing, whatever
he thinks will be of advantage to the pub-
lick, and 'tis the part of the legiſlature to
chooſe out of the various methods, which are
offered, whatever in any of them appears
to be the moſt practicable and conducive to
the common ſafety and welfare.

But I find this would be much longer,
than I imagined; that I may not be too
tedious, I ſhall contract my firſt deſign, and
only give you my opinion, what have been
the principal cauſes of the ſcandalous be-
haviour of too many of our commanders
lately, and what will be the beſt way to pre-
vent the like for the future, and reſtore our
navy to its ancient reputation. Whether
I ſhall afterwards proceed any farther, will
depend upon your opinion of the uſefulneſs
of this.

One cauſe, which has generally been aſ-
ſigned, is the great force that parliamentary
intereſt has in the promotions in the navy.
This, I believe, has been carried too far,
and ſometimes done hurt, but I can by no
means allow it to be ſo fatal, as ſome have
ſaid; nor indeed is the force of intereſt at
any time or in any country, or under any
form of government to be entirely prevent-
ed.

ed. Men of large property, and in eminent ſtations muſt, and ought to have a ſuperior influence in the country, whoſe welfare they are ſo eminently concerned in, and for whoſe defence they contribute ſo largely. Nor is there any reaſon to ſuppoſe, that their children or relations are more likely to want underſtanding, courage, and integrity, than others, who are of a meaner birth, or leſs conſiderable intereſt. Cæteris paribus, they ought therefore certainly to be preferred to others, and to prevent ſuch a preference from being detrimental to the public; all that is neceſſary, is only to take notice of extraordinary merit wherever 'tis found, that the meaneſt may ſee, if they excel, they will ſurely be rewarded;—to lay down ſome rules never to be varied from, by which every perſon, before he is capable of having a command, ſhall be obliged to have ſerved ſo long and conſtantly, that it may reaſonably be ſuppoſed, he cannot be entirely ignorant of his duty, nor unfit for the ſtation, to which he is promoted—and always to puniſh with exemplary ſeverity, without the leaſt regard to birth or intereſt, all who are guilty of cowardice, egregious ignorance, or tyranny. 'Tis not ſo much the preferring officers by parliamentary intereſt, as ſcreening offenders, that will hurt the public. But a very

very fatal cauſe of the miſconduct of many of our commanders was, the cautious manner of waging war, that was uſed in the beginning of it. You will not, Sir, expect, that I ſhould clearly prove, what I am now going to aſſert, but I am fully convinced myſelf (and have reaſons for being ſo, which it is not proper for me to mention) that there were reſtraining orders ſent to ſome of our commanders at firſt, and that obedience to theſe orders coſt one of the braveſt admirals, that ever commanded a Britiſh fleet, more than his life, his reaſon. What were the motives of ſending ſuch orders, does not become me to ſay; whatever they were, they were ſuch, as could not be made public, and therefore to juſtify ſo extraordinary, and unexpected a behaviour, the friends of the admiral, and of the miniſtry urged the importance of the fleet — the ill conſequences, that would happen to the nation, if it ſhould be deſtroyed—the neceſſity there was of taking care of the king's ſhips—and many other ſuch arguments, as if men of war were fitted out, armed, and manned ſo well, for no other reaſon, but only to make a fine figure, and keep out of harms way for fear their gildings and carved work ſhould be damaged, and not to enable them to attack and deſtroy

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the enemy. Theſe weak arguments did not indeed ſatisfy the brave unfortunate admiral; he never enjoyed himſelf after his fatal obedience, and to the loſs of a glorious opportunity of attacking and probably defeating an enemy, added another, which in the event has proved to his country at leaſt as fatal, which was the loſs of himſelf. Had not his reaſon been impaired by a nice ſenſe of honour, he probably would have commanded at the battle of Toulon; and tho' the battle is not always to the ſtrong, yet humanly ſpeaking, there would have been ſhewn another ſort of conduct in the admiral, and a different behaviour in moſt of the captains, which (ſtill humanly ſpeaking) would have been crowned with a very different iſſue, from what then happened. But, what was ſuggeſted at firſt out of friendſhip or intereſt, coinciding likewiſe with their fear, from being plauſible, appeared at laſt to many ſolid, and became the real opinion of their hearts. They conſidered every thing that might poſſibly happen againſt them, then ſuppoſed it really would happen, and conducted themſelves accordingly. And, as our commanders grew more fearful than uſual, our enemies of courſe grew more couragious, and began to deſpiſe that force, which before they dreaded.

I will not take upon me to ſay, that the miniſtry foreſaw, much leſs deſigned ſuch a thing; but I aver that it was in fact the conſequence of the meaſures purſued and maxims propagated at that time, and ought to be a perpetual warning to all miniſters, never to wage war in jeſt. Great care ought to be taken, before a war is declared, not only that it be juſt, but that not having been able to get redreſs otherwiſe, it be alſo neceſſary; but when once it is declared, it ought to be purſued with vigour, which is the moſt likely way to obtain both a ſpeedy and honorable peace; if they act otherwiſe, they muſt advance and cheriſh maxims, which, when once they have taken root, are not to be deſtroyed when they pleaſe, but will ſtill remain, when their ſyſtem of politics is changed, and the reaſon of their myſterious conduct, whatever the reaſon was, is ceaſed, and they wiſh the war to be carried on with vigour. To extinguiſh the effects of theſe fatal maxims, it ought to be ſtrongly inculcated, that one reſolute man will always get the better of two, who are wavering and fearful—That a determined and ſedate courage is the moſt likely way to ſhun death and danger, ſince it ſurprizes an enemy, and often brings not only ſafety, but conqueſt; whereas flight can only pro-

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long life for a few days to end it at laſt with ignominy on a ſcaffold; but to give this reflection force is the duty of court-martials.

The courage of our common ſeamen is hitherto generally unſuſpected; however I am afraid that ſome maxims favoured by their betters, have made an impreſſion even upon many of them. I am ſure nothing that will confirm or improve their bravery ought to be neglected. But perhaps you will laugh at one method I am going to propoſe to do this, which is that one or two gentlemen of genius ſhould be employed to write in a familiar and eaſy ſtile, ſongs upon ſome of the moſt celebrated actions of the ſeamen, interſperſing them with ſentiments of piety, virtue, and humanity, which, whatever a corrupted world may think, are the moſt likely means to inſpire men with true courage to obtain, and moderation to uſe a victory: that theſe ſongs be ſet to eaſy, but martial tunes, and ſinging them be encouraged in the fleet as much as poſſible. This may ſeem below the notice of a ſtateſman, or the ſtudy of a genius. Happy would it have been for mankind, if the ſagacity and penetration of the former, and the wit and learning of the latter, had never been employed on more uſeleſs ſubjects? *In tenui labor, at tenuis non gloria*; and tho' the lords of the ad-

admiralty could not give any formal order about ſinging theſe ſongs, yet they might eaſily in private recommend it to the captains; and, if they would have them ſung at their tables, the ſailors would ſoon have them likewiſe; they would naturally be fond of ſongs, which they would think themſelves in ſome meaſure intereſted in, and would conſider them, as auſpicious omens, that they might themſelves be one day celebrated in verſe, and the ſubject of ſome future ſong which even their miſtreſſes might vouchſafe to ſing. Nor do I believe ſuch influence would be confined to the common ſailors only, it would extend to the officers alſo. My opinion is confirmed both by hiſtory and experience. What effect Homer, produced whoſe verſes were uſually ſung in detached pieces in wars and at banquets in Greece, is well known. Tyrtæus by his martial ſongs revived the drooping ſpirits of the Lacedemonians, and fired them ſo, that nothing could reſiſt them *. Sir Philip Sidney ſaid he never heard the old ſong of Percy and Douglas, that he found not his heart more moved, than with a trumpet, tho' ſung by

* When by impulſe from heav'n Tyrtæus ſung,
In drooping ſoldiers a new courage ſprung:
Reviving Sparta now the fight maintain'd,
And what two generals loſt, a poet gain'd. Ros.

ſome blind Crowder with no rougher voice than rude ſtile; and I myſelf heard the ſong about the battle of La Hogue ſung by almoſt every man on board of one ſhip the day of the battle of Toulon with very good effect, till the infamous behaviour of ſome in the fleet put an end to their ſong, and changed their praiſes of the dead into curſes of the living; and upon enquiry I had reaſon to believe it was ſung in every ſhip in the fleet with the ſame effect. But I would have ſongs of this kind ſung every day, and the names and gallant actions even of common ſailors mentioned, which I am confident would make them deſpiſe death and danger, and inſpire them with a laudible enthuſiaſm, without ſome degree of which, no navy or army, no general or admiral will ever make any figure.*

Another great reaſon of the miſconduct of our navy is, an improper diſtribution of ſome rewards, and deficiency of others. There are two ſorts of rewards to encourage military men, pecuniary and honorary. As

* What Tully quotes from Democritus and Plato about a Poet, is applicable to a genius in any profeſſion, but to none more, than a general or admiral. Sæpe enim audivi poetam bonum neminem (id quod à Democrito & Platone in ſcriptis relictum eſſe dicunt) ſine inflammatione animorum exiſtere poſſe, et ſine quodam afflatu quaſi furoris.

to the former, the nation has been liberal of them even to profuſeneſs; but then I am afraid they have been diſtributed very improperly, inſomuch that the largeneſs of them, inſtead of carrying on the ſervice ſteddily and ſurely, has, like a vaſt weight in a wrong place, overſet it. As to honorary rewards, they are ſcarcely known in our ſervice, tho' it is demonſtrable that they are not only cheaper to the nation, but more productive of, and congruous to, true courage and virtue, than pecuniary. No nation in Europe has equalled us in pecuniary rewards; but to know, whether they are properly diſtributed, we muſt conſider, for what ends, and upon what occaſions rewards ought to be at all propoſed. What a man has aſſigned to him for his ordinary ſervice, is not here conſidered as a reward, but as pay, and is, or ought to be a ſufficient compenſation for his time, his labour, and the dangers he muſt ordinarily go thro'. If any further encouragement be at any time thought proper and requiſite, it is, when ſome extraordinary hazards and fatigues are to be undergone, to atchieve ſomething, which, if performed, will be an honour or benefit to the nation, or a detriment to the enemy. However great courage may be ſhewn in an attempt which if it ſucceeds, will neither be

beneficial nor honourable to the public, nor detrimental to the enemy, it is not to be called valour but folly and raſhneſs, and ought to be puniſhed, and not rewarded; and when any advantage can be obtained, or damage done to the enemy with little or no hazard, it is evident no very great reward can be neceſſary, the uſual advantages of the ſervice ought to be looked upon as a ſufficient inducement to excite every man to do his duty in ſuch caſes; or, if the public is ſo generous, as to confer an extraordinary reward, yet it need not, nay it ought not to be very large, much leſs ought it to exceed the rewards conferred upon attempts, very hazardous and honourable to the performers, and detrimental to the enemy. In ſhort, if the greateſt rewards be given, where there is little or no danger, and very ſmall rewards comparatively, when the danger is great, and the ſervice noble—If the deſire of theſe rewards will ſometimes even make them neglect their duty--If many, who are in very uſeful and important ſtations, are almoſt totally excluded from any rewards—If this be an inducement to ſome to deſire to ſerve in ſtations not ſo ſuitable for them, and leave the moſt important ſtations to others, not ſo well qualified for them——If the very nature of the rewards be ſuch, as will not only make

a diſmiſſion from the ſervice not dreadful, but even deſirable, I think it muſt be confeſſed, that the diſtribution of theſe pecuniary rewards is improper, and ought to be altered.

How far this is true, will be beſt demonſtrated by laying before you, what the ordinary pay of a captain is, and the manner in which prize money is ſhared. Now there are two degrees of captains in the royal navy. One is of thoſe, who have the command of ſloops, bombs, fireſhips, or any ſhip leſs than one of twenty guns; they are called maſters and commanders, and take place among themſelves according to the date of their firſt commiſſion, as maſter and commander, but are commanded by all captains of larger ſhips, tho' their commiſſions be of a later date. The other rank of captains is of them, who have the command of ſhips of twenty guns, or upwards, which are called poſt ſhips, and they take place, not according to the largeneſs of the ſhip they happen to command, but according to the date of their firſt commiſſion to a poſt ſhip, i. e. to a ſhip of 20 guns, or upwards, ſo that a captain of a firſt or ſecond rate may be commanded by a captain of a twenty gun ſhip. In the diſtribution of prize money, both poſt captains and maſters and com-

manders ſhare alike; but their pay differs, as you will ſee by the following extract out of the inſtructions of the navy.

	l.	*s.*	*d.*	Servants
Captains of a firſt rate are allowed per Diem	1	0	0	36
——of a ſecond	0	16	0	30
——of a third or 80, and 70 guns	0	13	6	24 or 20
——of a fourth or 60, and 50 guns	0	10	0	16 or 12
——of a fifth or 40 guns	0	8	0	10
——of a ſixth or 20 guns	0	6	0	6

Captains of fireſhips, hoſpital ſhips, and ſtore ſhips, tho' they rank only as maſters and commanders, yet have the ſame pay with captains of a fifth rate, and captains of ſloops the ſame with captains of a ſixth rate, but the number of their ſervants differs. The rule is, every captain is allowed four ſervants, or in proportion, for every hundred men, of which his ſhip's compliment conſiſts. Every ſervant is about ten pounds a year profit to the captain. The reaſon, why they are allowed ſo many ſervants, is that they may procure young lads to enter and be brought up in the ſervice.

The king and parliament have been ſo generous, as to give all ſhips taken from the enemy by the kings ſhips to the captors in the following manner. Three eights of the prize to the captain or captains of the ſhip or ſhips, who took or aſſiſted in taking the

prize, if not under the command of an admiral, or of a commodore with a captain under him, who in prize money ſhares as an admiral, but if under the command of an admiral or commodore with a captain under him, then one of theſe three eights belongs to the admiral or admirals of the ſquadron, if there be two admirals, the commander in chief to have two thirds of the eight, if more than two flags, then the commander in chief is to have one half of the eight, and the other half to be equally divided among the other admirals, one eighth to the commiſſion, one eighth to the warrant, and one eighth to the petty officers; the other two eights to the common men; beſides, if any ſhip of war or privateer belonging to the enemy be taken by one of his majeſtys ſhips, the government gives to the captors five pounds for every man, that was on board the enemies ſhip, at the time when the engagement began, to be ſhared in the ſame proportion as the prize money. Likewiſe penſions and gratuities to every man wounded in any engagement, and a years pay to the widows of thoſe that are kill'd.

All ſhips are equally entitled to their ſhare of prize-money, who are in ſight when the prize is taken, and no others; every ſhip in ſight being eſteemed to be aiding and aſſiſting

tho' not within gun ſhot, it being reaſonable to ſuppoſe, that the ſight of one of our ſhips, tho' at a diſtance, will encourage our ſhips that are near the enemy, and diſhearten and make the enemy more inclineable to ſtrike. Only the admirals are entitled to their ſhare, whether they are within ſight or not, it being ſufficient for them, if the ſhips are taken within the limits of their command.

Theſe muſt be confeſſed to be very munificent rewards, and the head money and gratuities to the wounded men and relations of the ſlain are well judged encouragements. But I cannot help thinking, that if an half of all merchant ſhips and of their cargoes was reſerved to reimburſe the nation part of the expence of fitting and paying our fleet, all, who belonged to the navy, would ſtill have reaſon to be very thankful, no other nation in Europe giving ſo much as that; and if after that, the captors ſhare had been divided into ſeven parts, and one ſeventh inſtead of two eighths had been given to the captains, they could not then have complained that their ſhare was too little, nor do I believe, they would have done their duty the worſe.

But alterations of this kind may now be difficult. Let it then only be conſidered, whether, without taking away any of the two

eighths

eighths from the captains, their ſhare may not be more properly diſpoſed of among them, as much to their ſatisfaction in general, and yet in ſome ſenſe more equitably, and certainly more for the advantage of the ſervice.

Merchant ſhips, if they be of any conſiderable burthen, are of much more value than large men of war. One of 200 tons may be worth, 10, or 20, or 30 thouſand pounds, when a man of war of 60 guns will not be of near that value, eſpecially after ſuch an engagement, as we may ſuppoſe, there muſt be before a ſhip of that force will ſtrike. As arrant a coward therefore, as ever was in any ſervice, may without any danger make himſelf maſter of an ample fortune for only doing, what a woman could have done as well; while a brave man, after a gallant action, full of danger, may not for his reward have the fifth or the tenth part of it. If the ordinary pay be not thought ſufficient encouragement to take a merchant ſhip, yet ſurely it cannot have any claim to ſo ample a reward.

When men may enrich themſelves at once with ſo little hazard as attends attacking defenceleſs merchant ſhips, and, when they engage a man of war, are ſure of hard blows, and can expect but little profit and no honorary rewards, 'tis very natural to believe, that

that they will ſhun, as much as poſſible, engaging with ſhips of force, however eager they may be to attack merchant ſhips, and, if they ſhould happen to meet with both men of war and merchant ſhips, that they will try to avoid the former, if they can but lay hold of the latter. This ſuppoſition is not only very natural, but ſupported by experience. A certain officer very lately, who had under his command three ſhips of 70, and 60 guns, fell in with two French men of war and ſome merchant ſhips. The worthy commodore ſeeing a large merchant ſhip making what ſail ſhe could to get away, follows her, and leaves the two French men of war to his own comrades. They, tho' of ſuperior force to the French, yet for fear they ſhould not be ſtrong enough, or for fear they ſhould not be in ſight, when the merchant ſhip was taken, went away likewiſe, and ſuffered the French men of war to go away unmoleſted. Such a behaviour is not to be wondered at; it is the natural conſequence of ſuch a diſtribution of rewards *.

If a man of war ſhould be ſent as a convoy to ſome rich merchant ſhips, and ſhould ſee at a diſtance a ſhip of the enemies, which he might ſuppoſe to be a rich one, would

* None of theſe captains were puniſhed. The commodore has been ſince promoted to an higher ſtation.

there

there not be a ſtrong temptation to him to leave his convoy, and go after the prize? the convoy, 'tis true, is of great value, but what is that to him? if he takes care of them, as he ſhould, he may have thanks perhaps, but, if he takes the prize, he makes his fortune, and then he can live aſhore not only with ſafety, but, if he be not near the rank of an admiral, with more dignity alſo, and will be glad of any pretence to quit the ſervice: not that his diſmiſſion would be any loſs to it; he might be ſucceeded by others as capable: but his indifference for the ſervice will make him conſider breaking as no puniſhment: he can cover himſelf from infamy in his lac'd cloaths and his coach and ſix, and, * like Lucullus's ſoldier, when he had

* The ſtory is well told both by Horace and Pope, and will not I believe diſpleaſe the reader.

Luculli miles collecta viatica, multis
Ærumnis, laſſus dum noctu ſtertit, ad aſſem
Perdiderat; poſt hoc vehemens lupus, & ſibi & hoſti
Iratus pariter, jejunis dentibus acer,
Præſidium regale loco dejecit, ut aiunt,
Summè munito, & multarum divite rerum.
Clarus ob id factum, donis ornatur honeſtis,
Accipit & bis dena ſuper ſeſtertia nummûm.
Forte ſub hoc tempus caſtellum evertere prætor
Neſcio quod cupiens, hortari cœpit eundem
Verbis, quæ timido quoque poſſent addere mentem:
I, bone, quo virtus tua te vocat, i pede fauſto,
Grandia laturus meritorum præmia; quid ſtas?

Poſthac

had recovered his loſs, will leave hazardous attempts to poor fellows. 'Tis certain this was the behaviour of ſome in the infamous battle of Toulon. They had filled their coffers with prize money from merchant men, and could calculate too well how ſmall gains they could expect from an engagement with men of war, and were not willing to expoſe to be ſhot at perſons of ſuch conſequence, as they were become, ſince they were maſters of 20, or 30 thouſand pounds, and therefore took care to fire away at a very ſafe diſtance immenſe quan-

Poſthac ille catus, quantumvis ruſticus, ‘ ibit,
‘ Ibit eo, quò vis, qui zonam perdidit, inquit.’ Hor.

In Anna's wars, a ſoldier poor, and old,
Had dearly earn'd a little purſe of gold;
Tir'd with a tedious march, one luckleſs night,
He ſlept, poor dog, and loſt it to a doit,
This put the man in ſuch a deſperate mind
Between revenge, and grief, and hunger join'd
Againſt the foe, himſelf, and all mankind;
He leap'd the trenches, ſcal d a caſtle wall,
Tore down a ſtandard, took the fort and all.
Prodigious well, his great commander cry'd,
Gave him much praiſe, and ſome reward beſide.
Next pleas'd his excellence a town to batter;
(Its name I know not, and 'tis no great matter)
‘ Go on, my friend, he cry'd, ſee yonder walls;
‘ Advance and conquer, go, where glory calls,
‘ More honors, more rewards attend the brave.
Don't you remember, what reply he gave?
‘ D'ye think me, noble general, ſuch a ſot?
‘ Let him take caſtles, who has ne'er a groat,

tities of powder and ſhot at the enemy, or rather at the ſea, for that had moſt of their ſhot, which fell ſhort of the enemy they pretended to fire at.

There is another ill conſequence of this diſtribution of prize money, which is not ſo much taken notice of, and yet may be very fatal. No ſhip is entitled to any prize money, which is not actually in ſight, when the prize is taken. Now as three deck'd ſhips are too large and unweildy to buſk the ſeas, as they call it, they muſt be as much at anchor, as the ſervice they are upon will admit, and are by that means in great meaſure excluded from prize money, and yet they may really be ſaid to be aiding and aſſiſting to the cruizing ſhips, tho' they are not actually with them. Thus, when the Engliſh three deck'd ſhips lay at anchor in Hieres bay, and kept the Spaniſh fleet in Toulon, the enemies merchant ſhips were forced to ſail with little or no convoy, and fell a more eaſy prey to our ſingle cruizers, than otherwiſe they would have done. I readily allow, that the cruizers, which are expoſed to the dangers and fatigues of the ſea, more than they which are at anchor, ſhould have more prize money: but I cannot think, that the capital ſhips, which have ſo great a ſhare in diſtreſſing the enemy, ſhould

be

be totally excluded; eſpecially, ſince if ever there be a general engagement, they are the ſhips, which muſt ſuſtain the fury of the battle.

However, if they were the only ſufferers by this, it might be paſſed over; but the public ſervice is hurt greatly by it. In time of war prize money may be much more conſiderable to captains than their pay, and the hopes of it much more alluring and attractive. A ſingle prize of but two thouſand pounds value, if taken by one ſhip, will be more to the captains ſhare than the difference is between the pay of a firſt and a ſixth rate. For this reaſon old captains, who ſhould, and gentlemen of intereſt, who will, have the preference, ſtrive to get cruizing ſhips, in hopes of making their fortunes at once, while the capital ſhips are given to young captains, or to captains in a bad ſtate of health, who cannot bear the fatigues of cruizing. I have known ſome gentlemen captains of eighty gun ſhips, who by the rules of the navy, were not old enough to be lieutenants. But in a general engagement, the chief dependence muſt be upon theſe ſhips, and it cannot but be of the utmoſt conſequence, that they ſhould be commanded by old and experienced commanders, the bad conduct of one of them may loſe a

victory; but however brave a young gentleman may be, he cannot have experience enough to direct his conduct on ſuch a day. I have often heard foreigners expreſs their ſurprize at the youth of ſome of the captains of our capital ſhips.

Give me leave to mention another obſervation, which tho' it does not relate to prize money, is very pertinent here. The firſt admiral in England, has, when employed, two captains under him, the firſt of which during that time, ranks as rear admiral, and is always an old captain; but other admirals, who happen to command ſquadrons in chief, have but one captain, who takes rank according to the date of his commiſſion, and, as he is very much confined, and ſuppoſed to be out of the way of prize money, old experienced captains decline the poſt, and it is generally conferred upon a young captain; and yet if the admiral ſhould be killed in an engagement, his captain may command the whole fleet during the greateſt part of the action. For, if an admiral be killed, the inſtructions forbid his flag to be ſtruck, for fear of diſcouraging the fleet, but order, that notice be ſent to the perſon, who commands in the ſecond poſt of the admirals deck, who is immediately to repair on board the admiral's ſhip, and take the command upon

upon him; but before this can be done, the fate of the action may be determined. In the mean time all ſignals are to be given from the admiral's ſhip by the direction of the captain, or, if he ſhould be killed likewiſe, by the direction of the lieutenant, and if any errors ſhould be committed thro' want of experience or capacity, the whole fleet may be deſtroyed. This is a fault that only we are guilty of, and which we may perhaps have one day too much reaſon to repent. The French have always ſeveral old officers on board their admiral's ſhips. The Spaniſh admiral, tho' he had only a rear admiral's flag had no leſs than 4 captains on board his ſhip the day of the battle of Toulon, and it was owing to the experience and bravery of the third captain, the firſt and ſecond being killed, and the admiral himſelf wounded, that the ſhip was ſaved. In the wars with the Dutch, when our navy made the greateſt figure at ſea, we have had two admirals on board of one ſhip.

Theſe are ſome of the miſchiefs, which, I apprehend, the preſent diſtribution of our prize money already has been, and always will be the cauſe of. The arguments made uſe of to prove this are ſupported by experience, and they are miſchiefs of ſuch conſequence, as well deſerve our greateſt attention, how

to

to remedy, ſince, if not prevented for the future, they probably will prove our ruin, and prize money, inſtead of promoting the benefit of the ſervice, and exciting diligence and bravery among the officers and ſeamen, will make the duty neglected and dangers ſhun'd, and only riches aimed at.

I am ſenſible, ſir, that any perſon, who has plann'd a ſcheme in his own mind, of what kind ſoever it be, is apt always to be partial to his own deſign, and to entertain a much better opinion of it, than any other can, or will do. But tho' the whole may not merit approbation, ſome part of it may, and one of your candor will be inclined to pardon what is amiſs, eſpecially if you think the intention honeſt, even tho' there be more in it that is to be blamed then commended. Relying therefore upon your goodneſs, which I have ſo often experienced upon other occaſions, I ſhall the more chearfully venture to give you my opinion, how theſe inconveniencies may be remedied, becauſe I well know, how able you are, if you give yourſelf the trouble to read this letter, to diſcern and correct what is faulty, reject what is wrong, and ſupply what is defective.

But I muſt firſt of all take the liberty to ſay, that it appears to me, there ought to be more ſteps to aſcend from the command of

a ſhip, to the rank of an admiral. When a man has a commiſſion to command a twenty gun ſhip, he can regularly riſe no higher, till he is a rear admiral, i. e. a major general, for a commodore is only an occaſional dignity; while any perſon has that commiſſion, he ranks as brigadier general; but, when the commiſſion ceaſes, he deſcends again to the rank of a private captain. This is a fault which the French and Spaniards have avoided; they have ſeveral ranks of captains, according to the rates of the ſhips they command. And this, and indeed the diſcipline of the French in general, are worthy our imitation. Suppoſe therefore that all commanders of bombs, fire-ſhips, ſloops, and hoſpital ſhips, and all who are called maſters and commanders, ſhould rank as majors, all captains of 20, 40, and 50 gun ſhips, as lieutenant colonels, of ſixty, ſeventy, and eighty, as collonels, of 90, and 100 guns, as brigadiers. This might be done without any alteration in their pay, and would effectually prevent old captains from aſking for ſmall ſhips, unleſs they were willing to be commanded by officers, who were their juniors; and as large ſhips are the moſt proper and ſuitable for old officers, ſo cruizing ſhips are the beſt for young, who are beſt able to bear the fatigues

of cruizing, and will by that means have a better opportunity to improve their ſkill in navigation, and acquire experience. Nor would there be any difficulty in ranging the captains in theſe claſſes, which may be done, not according to the largeneſs of the ſhips they have commanded, before this regulation is made, but according to the dates of their firſt commiſſions, which would leave none any room for complaint, ſince then no unjuſt preference would be given to junior officers by putting them over the heads of their ſeniors *.

* To the many inconveniencies foreſeen when this letter was wrote, which this regulation would prevent, another is ſince added which would in great meaſure be prevented by it: the great number of yellow admirals, as they are called. It has of late been very much the cuſtom to promote ſome captains to the rank of admirals when many who were their ſeniors were paſſed by, and conſequently could not with honour, according to the cuſtom of the navy, ſerve any longer; to pacify them therefore they have been appointed rear admirals, without being named to any particular ſquadron, and intitled to half pay, but are not to expect ever to be employed; this, if they have behaved well, is too little, if not, too much; however it is a large expence to the public. In the land ſervice no officer under the rank of colonel, thinks it a diſgrace, to ſerve, if a junior officer be put over him. In the ſea ſervice now no maſter and commander ever quits the ſervice on that account; and, if the regulation now propoſed was eſtabliſhed, none who had not commanded at leaſt 60 gun ſhips, would have a right to think themſelves diſgraced by continuing to ſerve, when juniors were put over them, conſequently the number of theſe, who would claim the privilege of being rear admirals at large, would be very much reduced, and the expence leſſened.

And as all the ſhips in the ſame ſquadron may be truly ſaid to be aſſiſting to each other in diſtreſſing the enemy in thoſe parts, where the ſquadron is employed, ſo I cannot think that any of them ought to be almoſt totally excluded from all hopes of prize money; but that regard ought to be had both to the rank and age of the reſpective captains, and to the ſervice performed, and hazards and fatigues underwent by every ſhip. This not only juſtice, but the benefit of the ſervice requires.

With regard to the captains, I would therefore propoſe, that when any prize money is to be paid, the two or three eights belonging to them ſhould be divided into a number of ſhares according to that of the captains, who are entitled to it, and that all, who ſerve in the ſquadron, ſhould be entitled to their proportion of it according to the following rules. Every maſter and commander, who ranks as major, to one ſhare; every captain, who ranks as lieutenant colonel, a ſhare and an half; every captain, who ranks as colonel, two ſhares; every captain, who ranks as brigadier, two ſhares and an half. This would make old captains willing to command great ſhips, and would ſhew a decent regard to their age and ſervices; nor could young captains reaſonably complain, tho' ſomething be

taken away from them for the preſent, ſince they alſo would one day reap an advantage from it.

But as the cruizing ſhips muſt neceſſarily undergo more hazards, and their companies more fatigues than others, the following exceptions, or limitations to the above method are offered.

I. If any merchant ſhip or ſhips belonging to the enemy be taken by any of his majeſty's ſhips of ſuperior force, then the whole ſquadron to which the captors belong ſhall be entitled to ſhare in the prize money, tho' not actually in ſight; but the immediate captors, and all in ſight, when the prize or prizes are taken, ſhall be entitled to a double ſhare of prize money, to what others in the ſame ſtation ſhall receive. i. e. Every captain, who ranks as major, and is one of the captors, ſhall receive two ſhares; every captain who ranks as lieutenant colonel, and is one of the captors, three ſhares, and ſo on; likewiſe every lieutenant, maſter, warrant or petty officer, or private man, who are on board the captors, when the prize is taken; ſhall receive double the prize money, which others of the ſame ſtation in the fleet, who were in ſhips not in ſight, ſhall be entitled to. This where no great danger is

run, may well be thought a ſufficient compenſation to the captors.

II. If the ſhip or ſhips taken be equal in number of guns and men, and in weight of metal with the captors, or if they be ſhips of war or privateers, tho' of inferior force, then they are to belong to the captors only, and no other ſhips in the ſquadron but thoſe, who are actually in ſight, to be entitled either to prize or head money. It is mentioned here, that the ſhips taken, ſhould be equal to the captors both in number of guns and men and in weight of metal, becauſe ſome merchant men have as many guns as men, and others are cumbered with paſſengers, and have few or no guns, neither of which can make any conſiderable reſiſtance to ſhips of war, and conſequently the taking of them does not deſerve any extraordinary reward.

III. If any ſhip be taken, which hath a letter of marque, and yet hath a cargo on board, it ſhall be conſidered as a merchant ſhip, and not as a privateer.

IV. If any of his majeſty's ſhips of war ſhall take or deſtroy ſhips of war belonging to the enemy of equal or ſuperior force to the captors, then the captors ſhall not only be entitled ſolely and excluſive of all others

to the prize and head money ariſing from the ſhips ſo taken, but likewiſe to a double ſhare of all prize money ariſing from any merchant ſhips that ſhall be taken by any of that ſquadron for a year to come, except ſuch merchant ſhips, as are comprehended in the ſecond article, as equal to the captors in weight of metal, and number of guns and men. And to this double ſhare captains, officers and men ſhall each of them in their reſpective degrees be entitled. And if any of them ſhall be ſent out of the limits of that ſquadron before the year be expired, yet ſtill to be entitled to a ſingle ſhare after they have left the ſquadron, till the time mentioned be compleated.

V. When any captain ſhall receive any prize money for merchant ſhips only, he ſhall be obliged to give ſecurity for the whole ſum; and if at any time hereafter he ſhall be convicted of cowardiſe in any ſhape, then all the prize money he hath received, or is due to him for merchant men, except what he may be entitled to by the 4th article, ſhall by that conviction be forfeited, and ſhall be given among thoſe captains of the fleet who have taken ſhips of war of equal or ſuperior force with thoſe they commanded. This may make ſome deſirous of reſigning and leaving the ſervice, when they are grown

rich; but it will effectually keep them from drawing back in the time of danger; the more a man has to loſe, the more deſperate he will be, that he may not by the bad conduct of an hour loſe the acquiſition of years.

Give me leave to add, Sir, in behalf of the men, that ſome further regulations may be made with regard to the agents, that their fees be fixed, and they not ſuffered to run away with all or moſt of the profits, that ſhould belong to the men; that if any diſpute ſhould ariſe about the legality of the capture, or the right of the claimants, there may be a ſummary way of determining it; that the agents may be obliged to make their payments with as little delay as poſſible—that the men may have liberty to name agents, as well as the captains and officers—that no agent dare to pay any captain all or any part of his prize money, who has not firſt given in authentic liſts of his ſhips company, by which every man in his ſhip may be able to receive their dividend, as well as the captain his—and that the captains be required to act as the fathers of their ſhips companies——and that all frauds and embezlements, and delay or ſtoppage of payment be ſeverely puniſhed.

Theſe regulations I believe, ſir, would make our pecuniary rewards uſeful to the public ſervice, which I am afraid are frequently very hurtful to it now. But I cannot think pecuniary rewards are ſufficient to advance a ſervice to a great degree of perfection. Honorary rewards, which are ſcarcely known in our ſervice, are much more conſentaneous to virtue, and more productive of heroic actions. Every one knows how eagerly a garland, and a civic or mural crown were contended for by the Greeks and Romans; they were things of no intrinſic value in themſelves; but they reflected a reputation and dignity upon the perſons, who obtained them. Indeed rewards of this ſort will always have moſt force in virtuous times; but they will have ſome even in the worſt. I heartily wiſh they were introduced into our ſervice; they will acquire ſtrength from uſe: Men would dread infamy, and court reputation more than they now do.

I have been very long upon pecuniary rewards, and am afraid I have already tired your patience. Give me leave however to mention a few inſtances, where I think honorary rewards might be conferred with great propriety.

I. Every captain of a man of war who ſhall take or deſtroy an enemies ſhip of war

of

of equal force with his own, to be conſidered to rank in the ſervice as if his firſt commiſſion was of a year's older date than it is; and if by the addition of that year, he would be at the head of his own rank, then to be promoted immediately to an higher rank.

This I have heard objected to, as unjuſt, as it may put juniors over their ſeniors, who did not want courage, but only opportunity to have done the ſame, which perhaps favour procured for the other. But I muſt own, ſir, I think one gallant action, crowned with ſucceſs, deſerves more from the public, than a year's inactive ſervice; nor is it poſſible to reward latent merit, the public can only judge and reward, what it ſees; if this will make danger courted for the ſake of glory, this is the very thing, that is aimed at; if the admiral's favourites court danger for this reward, it is a proof that he has made a right choice of his favourites; and if any one complains, the anſwer is plain, go thou and do likewiſe.

II. Every captain of a man of war, that ſhall take or deſtroy a ſhip of the enemies of ſuperior force, ſhall from that day rank as commanding a ſhip of that force.

III. Every captain of a fireſhip, that ſhall burn an admiral's ſhip, to rank from that day

day as a colonel, or, if any other ſhip, as a lieutenant colonel.

IV. After an engagement, if we have gained the victory, the admiral to have the power to reward as many captains as the enemy have loſt ſhips in the manner above mentioned, but ſtill to be accountable to the higher powers for his nomination; if we loſe the battle, that as ſoon as may be a ſtrict enquiry be made both into the conduct of the admirals and captains, the brave to be rewarded, and the faulty puniſhed.

V. The captain of the admiral, who commands a ſquadron in chief, to take place of all other captains for the time, and if he continues long in that ſtation, to have a year added to the date of his commiſſion; if a battle be fought during that time, and a victory gained, to have another year added, unleſs the admiral himſelf be found guilty of cowardice.

VI. If any captain ſhould be killed in an engagement, and the lieutenant who ſucceeds him in the command, behave well, and bring the ſhip off honourably from one of ſuperior force, or take a ſhip of equal force, that lieutenant to take rank as maſter and commander from that day, or even an higher rank, if the merit of the action ſhall deſerve it, and to have the firſt ſhip of that rate,

rate, that ſhall be vacant even before the admiral's lieutenants.

VII. Every lieutenant of a victorious ſhip to have a year added to the date of his commiſſion; every maſter or warrant officer, who had on ſuch occaſions behaved well, to be conſidered from that day, as belonging to a ſhip of a larger rate with reſpect to being ſuperannuated, or to have a year added to the date of his commiſſion; every mate or midſhipman not to be obliged to ſerve in a lower ſtation in his majeſty's navy, and every common ſeaman to have ſome mark of honour conferred on him, or leave for a month's abſence on that account, when they come to an Engliſh ſhore. I dare ſay, theſe rewards would make every man more courageous in action; a year thus added to a commiſſion, would be looked upon as the moſt honourable pretenſion to ſeniority, and an advancement or indulgence thus obtained would be the boaſt of a brave ſeaman: the very mention of it fires me, and revives in my mind a pleaſure I once had, when a brave fellow interrupted a man, who was ſinging a ſong about the battle of la Hogue, Jack, ſays he, by the time we get to England, we ſhall be in ballads for our behaviour this day.

If

If any captains ſhould give repeated inſtances of their courage, by taking ſeveral of the enemies ſhips of war, would it be amiſs, if the old order of bannerets was revived, they honoured with it, and permitted to wear a red ribbon on the left ſhoulder, and a ſtar as the knights of the Bath do? I am perſuaded it would be highly uſeful; but I would never have it conferred, where the merit was not conſpicuous, and then it ſhould be done with great form; all the captains of the ſhips at the port ſhould aſſiſt: and to ſtimulate people the more to exert themſelves in an engagement, it ought to be a conſtant rule after an engagement, to make with a great ſolemnity a ſtrict enquiry into the behaviour of every ſhip, and publickly to applaud the brave, and cenſure the faulty, and bring them afterwards to a court martial; and all partiality in this ſhould be ſeverely puniſhable. When this was known to be the conſtant method, a man muſt be a very great coward indeed, who would not fight; I believe few ſuch would be found.

If there ſhould be a general engagement between two great fleets, and the victory clearly ours, I own, I think the admiral deſerves a greater honour than that of knighthood;

a peerage cannot be thought too much. Indeed, military virtue ſeems to have the faireſt pretenſions for that honour; if they, who are arriv'd at the head of the church and the law, ought to have the precedency, as religion and good laws are the moſt eſſential to the happineſs of a nation, and even to the good conduct of an army and fleet: yet, ſtill, as they generally arrive at, and poſſeſs thoſe eminent ſtations, without any danger to their perſons, they do not ſeem to have ſo good a right to hereditary honours, as the brave general or admiral. He who ventures his life greatly, for the ſervice of his king and country, deſerves to have that honour tranſmitted to his family. I have often wondered, how few families have been enobled for military virtue, and how many have been enobled, without having filled any eminent ſtation at all. If one looks into the number of peers created from the acceſſion of K. James the firſt, to the death of Q. Anne, one would be apt to conclude that that century muſt have abounded greatly in men of diſtinguiſhed worth and abilities; but our hiſtorians, and even books of heraldry, have been ſhamefully ſilent with regard to many of them, having left us little more concerning them, than that they had a

vote in the ſenate, and were able ſpeakers *.

The clergy cannot ſave money in their way to enoble their families to ſupport that honour; their revenues were not given them to aggrandize their families, but to reward merit, and ſuccour the diſtreſſed; and if any of them ſhould ſave a large fortune, out of his ſpiritual revenues, he might well be ſaid to become ſcandalouſly rich, and utterly unworthy of any honour; nor has there one clergyman been enobled ſince the reformation. The law has given riſe to many noble families, but the ſword to very few. Indeed, this reflection ſeems to favour the ſatyrical compariſon in Gulliver, between the ancient Roman ſenate, and a certain modern one.

In the laſt reign a bill was brought in to limit the number of peers: was the number to be limited, and that the prerogative might not ſuffer, the king to name ſo many out of the law, the fleet, and the army, who, like the biſhops, ſhould ſit in the Houſe of Lords for life, and none be made hereditary peers, whoſe anceſtors or themſelves had not filled ſome eminent ſtation with applauſe, it

* Largus opum, et melior lingua, ſed frigida bello
Dextera, conciliis habitus non tu futilis auctor.
VIRG.

would

would add greatly to the ſplendor of that illuſtrious body.

But I would not have honorary rewards confined to the royal navy, I would have it extend to the privateers alſo; if any of them took a ſhip of war from the enemy, I would have the captain of that privateer be enrolled among the captains of the royal navy, and rank according to the bigneſs of the enemies ſhip that he took; the reward thus given, would, in compariſon of the miſchief that he did the enemy, coſt the publick but very little, and a brave officer would be brought into the royal navy, which would be always a valuable acquiſition. Perhaps, he might not be ſo polite as ſome of our captains, but if he was a man of ſenſe and courage, he would ſoon acquire that politeneſs, which is founded on good ſenſe and good nature, and the reſt might be excuſed *. Nay, I would have theſe rewards go lower ſtill; the men of that privateer, that had taken a ſhip of war from the enemy, ſhould be exempted from being preſſed for a year.

In ſhort, as there may be ſome great actions performed, which can be provided for

* This would perhaps introduce into the royal navy ſome Bemboo's and Waltons, to be a contraſt to a Burriſh or an honourable —— ——

by

by no ſtated rules, it is to be wiſhed, that every year, a ſtrict enquiry was made, into the actions of the war; whether performed by the officers of the publick, or of private perſons; and every gallant action ſome way rewarded. With regard to the officers of the royal navy, I could wiſh the admiralty's invincible maxim was, pay well, and puniſh well. But the beſt thing to inſpire men with a ſteady and determined courage, is religion. All men are ſenſible of the ſhortneſs and uncertainty of life, and weakneſs and blindneſs of human nature; and all religions attribute to the Supreme Being power and wiſdom, and promiſe, more or leſs clearly, happineſs in another life to the virtuous: Quique ſui memores alios fecere merendo. Integrity and bravery in the ſervice of one's country, is every where reckoned a great virtue; conſequently, the fear of death muſt be leſſened, and victory expected from the aſſiſtance of the divine powers, when a man believes he is fighting in a good cauſe, and that he is under the protection of the Supreme Being, whoſe battles he is fighting, and who will either bring him off with ſafety and ſucceſs, or crown him with immortality. Look into ancient or modern hiſtory, into the annals of our own, as well as of for-

reign nations, and you will find, that armies were never ſo daring, never ſo victorious, as when they were animated by religious principles.

Give me leave to quote the words of Strada, lib. 2. proluſ. 4. " Ad rem bellicam religionem princeps adhibeat; nullum enim inſtrumentum evocandis, atque in omnem belli aliam compellendis militum animis, nullum ſoſpitandis fortunandiſque præliis opportunius religione repertum eſt. Hæc telum acerrimum, quo ſemel armatus exercitus, humana omnia ducit inferiora præ illâ. Glorioſi iſti duces, dei hominumque contemptores, & qui ſe aliis faciunt feroces, dum cœlo minitabundi gradiuntur, artis, quam profitentur, elementa nondum tenent. Romanis imperatoribus, cum quibus, ſi uſquam gentium, bellandi ars fuit ac fecit, nihil erat antiquius ante pugnam, in acie, poſt victoriam, quam ut religionis curam plerique haberent, omnes certi præ ſe ferrent."

There are ſeveral inſtances mentioned in Livy, where their greateſt generals in the moſt imminent danger of loſing the battle, have, by an audible addreſs to the gods, revived the courage of their ſoldiers, and gained a compleat victory; particularly Romulus, Camillus, and Sylla. But nothing

can

can be more noble and animating, than ſome of this ſort mentioned in the Old Teſtament, "Hear, O Iſrael, you approach this day unto battle againſt your enemies, let not your hearts faint, fear not, and do not tremble, neither be ye terrified becauſe of them; for the Lord your God is he that goeth with you, to fight for you againſt your enemies, to ſave you." Deut. xx. And again, 2 Chron. xiv. "Lord, it is nothing with thee to help, whether with many, or with them that have no power; help us, O Lord our God, for we reſt on thee, and in thy name we go againſt this multitude. O Lord, thou art our God, let not man prevail againſt thee." And in the Pſal. cxlix. "Let the praiſes of God be in their mouth, and a two-edged ſword in their hands, to be avenged of the heathen, and to rebuke the people, to bind their kings in chains, and their nobles in links of iron; that they may be avenged of them, as it is written, Such honour have all his ſaints". There is a ſpirited exhortation of St. Paul to the church, in a ſtate of perſecution, which would be equally applicable in war, Eph. vi. "Finally, my brethren, be ſtrong in the Lord, and in the power of his might."

To conclude this ſubject, if among the old Romans, religion was of ſuch uſe and prevalency, when it was full of ſuperſtition, and

gave but uncertain hopes of an hereafter, how powerful might it be made under the goſpel diſpenſation, where life and immortality are ſet in ſo ſtrong and clear a light? what can ſo much brighten and improve innate ſeeds of courage? what ſo ſtrongly combat conſtitutional fear, and enable even one, who is naturally a coward, to look upon death with contempt, and ſmile among the roar of cannon and all the horrors of war? But it is the gay conſcience of a life well ſpent, that can, at that time of horror, make a man's breaſt glow with pleaſing hopes. This is not indeed, in the power of the public to beſtow; but two things ought to be the care of the public, that religious worſhip be ſolemnly, decently, and regularly performed, and that open and abandoned vice be puniſhed; the former keeps religion in countenance, and often inſenſibly leads men from being formally, to become really good; the latter prevents from committing actions, which, if reflected upon, will blunt their ſword in the day of battle. I am ſorry to ſay, that as far as I could obſerve myſelf, or learn from others, no nation in Europe is ſo much wanting, and ſo juſtly blameable in both theſe reſpects, as ours. There is not always ſufficient care taken in chooſing ſuch clergy for chaplains, as might, by their learn-

ing and example, recommend the practice of it to the men, or give a juſt idea of it to ſtrangers. And there have been lately ſome notorious inſtances of vice publickly detected, and the criminals not only pardoned, but advanced. I could mention many, but ſhall give you only two, which happened very lately in two different ſhips. Two officers, the one a captain, the other a lieutenant, were detected of ſodomy; the thing was ſo flagrant, that they both deſerted, and run away, and yet the one was immediately made captain of a larger ſhip, and the other preferred to an higher commiſſion. Sodomy is a vice deteſted in the fleet at preſent; but if officers are ſuffered to ſet a bad example by the practice of it with impunity, it may be ſoon as common there, as in Italy or Turkey.

You have now, Sir, my thoughts, what are the moſt likely methods to revive the glory of the navy, and to make rewards truely uſeful to the ſervice; how far I am in the right I ſubmit to you; and it is worthy the ſerious thoughts of a perſon in your ſtation; you may have an opportunity of correcting by a law, whatever is amiſs, and, by that, of doing a moſt ſubſtantial ſervice to your country in general, and to a brave and uſeful body of men in particular, who now in-

deed, by the cowardice and miſconduct of ſome, appear in a contemptible view, but are, and always muſt be, the beſt human bulwark that this nation can have, for the defence of our liberty againſt foreign enemies. Indeed, I intended to have added ſomething about court martials, but I have already tired your patience ſo much, that I ſhall go no farther at preſent.

I am,

Sir,

Yours, &c.

LET-

LETTER II.

On NAVAL COURT MARTIALS.

Wrote in the Year 1748.

——Quis iniqua
Tam patiens urbis, tam ferreus, ut teneat ſe.
JUV.

Atque haud ſcio, an, pietate adverſus Deos ſublatâ, fides etiam, & ſocietas humani generis, & unà excellentiſſima Virtus, Juſtitia, tollatur. CICERO.

SIR,

THO' the aſpect of things belonging to the navy is very much changed, ſince my firſt letter, and the good ſucceſſes of the admirals Anſon, Warren, and Hawke, have reconciled peoples minds to ſeamen, and ſhewn them the importance of a naval force; yet as there are ſtill many defects, which want a remedy, and as advantages obtained, where good rules are wanting, may ſeem rather the effect of chance, than the reward of virtue, permit me to go on, where I left off at the concluſion of my laſt letter, and point out, where ſome new regulations are highly wanting, in our court martials, that they may have that force, which is proper to influence mens conduct, and may become the dread, and not the ſcreen of the guilty. This ſeems the more neceſſary, becauſe, if we take a view of the behaviour of the French, we muſt do them the juſtice to allow, that they ſhewed all that conduct and courage, which juſt and exact diſcipline could produce—and perhaps the ſuperiority of our numbers

numbers was a very fortunate circumſtance for us.

Indeed it is now a more proper time to conſider, what relates to the fleet, than it was a year ago, when men were ſo prejudiced againſt all that belonged to it, that they were for throwing marks of diſgrace upon them indiſcriminately, without ſeparating the innocent from the guilty. This was as imprudent, as it was unjuſt, and the way to make things worſe rather than better; other methods may now be hearkened to, which at the ſame time, that they remove the protection of the guilty, and apply a proper ſeverity, where it is wanting, may yet add honour to the brave. The Engliſh ſeamen are acknowledged by all nations to behave as well, if not better, than thoſe of any other country; but their officers are often accuſed of cowardice, neglect, or ignorance. On the contrary, the French common men are very backward in the performance of their duty in danger; but there is ſcarce one inſtance to be produced of their officers behaving ill. What can this diverſity be owing to? it muſt proceed from the ſtrict and exact diſcipline in the French, and the want of it in our ſervice. They have found out puniſhments, which their officers are more afraid of than of death. And we are too negligent

gent in enacting, or too remiſs in executing ſuch ſevere laws, as will make men afraid to tranſgreſs. We muſt not therefore depend too much upon the courage of our men, if a proper diſcipline be neglected; conduct muſt, in the end, prevail over blind or ill directed force. Were a troop of men, and a troop of lions to be engaged, the prudence and foreſight of the men would certainly at laſt conquer the ſuperior ſtrength of the lions.

'Tis not enough, that men can diſcern, what their duty is; they muſt be urged to the purſuit of it by the proſpect of ſomething, which will make them happy; and reſtrained from tranſgreſſing it by the apprehenſion of evil. Some indeed, that they may be thought ſuperior to others, have talked in a very elevated ſtrain of virtue, and have affirmed, that it is to be purſued for its own ſake, condemning all ſanctions both divine and human, as tending to degrade men's nature, and to make them mean and mercenary, rather than virtuous. But theſe men, who would affect to be thought wiſer than others, plainly ſhew their ignorance, and that they have taken but a very imperfect view of human nature, in which the paſſions are as eſſential a part as reaſon itſelf; the deſire of happineſs, and abhorrence of miſery is as inherent in all finite animated

animated beings, as the power of diſtinguiſhing between right and wrong is in rational; and man would be a very indolent, inactive creature, was he not impelled to action by preſent enjoyment, or hope or fear of what may happen;

Reaſon's the card, but paſſion is the gale.

Now of all the paſſions, by which a man is influenced, fear is the moſt general and powerful; men are frequently content with eaſe, or a mediocrity of happineſs; but every man is reſtleſs under the leaſt degree of preſent, or apprehenſion of future miſery, and active, till he can deliver himſelf from the pain, or proſpect of it. For this reaſon all wiſe legiſlators have endeavoured, by the help of this paſſion, to keep men within the bounds of their duty, and reſtrain them from doing any thing detrimental to ſociety. Nay by fear of certain puniſhment, they are often excited to ruſh into great dangers, where there is a probability or perhaps ſcarce a poſſibility of eſcaping, which otherwiſe they would moſt cautiouſly ſhun. This is the great uſe of military puniſhments, eſpecially to prevent neglect or cowardice in the day of battle. Every one thinks, that he may eſcape, or repel danger from an enemy by his own and his aſſociate's conduct and courage; and if he knows, that cowardice will

will certainly be puniſhed by his friends with a ſpeedy and ignominious death, even fear itſelf will force him to be valiant, and to fight with greater obſtinacy and reſolution.

'Tis true, there are ſome, who, born with the ſeeds of a moſt delicate taſte, which are cultivated by reflection and elevated and refined by religion, endeavour to perform their duty from the ſecret ſatisfaction they find in the practice of virtue, and perhaps from the glorious ambition they have of approving themſelves to a perfect being, whom they conſider as the perpetual inſpector, and never failing reward of all their actions. To ſuch as theſe, the ſhame of deſerving, is as dreadful as the pain, of puniſhments. But there are but very few of this exalted kind.

——Quos æquus amavit
Juppiter, atque ardens evexit ad æthera virtus.

The generality of mankind muſt be treated in another manner, if we would have them active and perſevering in their duty in the midſt of dangers and fatigues.

If this reaſoning be juſt, then all poſſible care ſhould be taken that court martials may be held freely and eaſily, when there is occaſion—that the evidence may be uncorrupt—that no partiality be ſhewn either by the collectors of the evidence, or the judges of the fact—that the puniſhment be clear and explicite,

plicite, and proportioned to the nature of the crime, and the importance of the ſervice; ſo that as little room as poſſible may be left for men of intereſt, who have offended, either wholly to eſcape, or to meet with a ſlight puniſhment, where the crime has been great and notorious, and detrimental to the ſervice—and that enquiries be made, and ſentence pronounced as ſoon, and with as much ſolemnity, as may be, after the fact is committed. By comparing the preſent practice of court martials with theſe maxims, which cannot, I believe, be denied to be juſt, we ſhall be able to judge, how far our laws relating to them are defective, and want to be amended, or the execution of thoſe laws obſtructed, and want to be enforced.

The holding of court martials was ſometimes impracticable from a defect, which might eaſily have been removed *. When an admiral or commodore was ſent to command abroad, beſides his commiſſion to command in chief, he had another, which gave him power to hold court martials; but this laſt was limited only to him, and did not devolve to his ſucceſſor, without another expreſs commiſſion. If he died, the next in rank took upon him

* This defect is remedied by a law mentioned in the P. S.

the

the command, but could not hold a court martial, even if there had been a mutiny of half the fleet. One of the accuſations againſt Mr. Frye's court martial was, that he lay ſo long in confinement before his tryal, which in truth was no fault of theirs, however blameable they might be in other reſpects. The gentleman, who commanded in chief, had no power to try him; and after he was accuſed of mutiny, a capital crime, he could not be releaſed till he was tried. But give me leave to obſerve, Sir, that a ſhip itſelf is confinement alone, without obliging a priſoner to keep his cabin at ſea, unleſs he obſtinately continues to behave in ſuch a manner as to make his cloſe confinement neceſſary or prudent for the ſafety of the ſhip. And, when the ſhip is in harbour, if it be in a place, where there is an Engliſh governour, confinement aſhore, will generally be more convenient for his majeſty's ſervice, as well as better for the priſoner's health, and therefore ſhould not be denied, where it is requeſted, and can be conveniently admitted, only to gratify the tyranny of the captain. I have heard very well atteſted ſtories of officers confined to their cabins out of pique, and kept there above a year, even when the ſhip was heaved down, tho' to the manifeſt hazard of their lives; and indeed

indeed ſometimes the more inhuman treatment has been ſhewn from a conſciouſneſs, that they were confined at firſt without juſt cauſe, in hopes to put an end to their lives, before their trial came on; becauſe they knew whenever the priſoners were tried, they muſt be acquitted. And here is another manifeſt defect in our law; for, if an officer be confined by his captain never ſo long, and uſed never ſo barbarouſly, and if he ſurvives it, till he comes to his trial, and is then moſt honourably acquitted, he has not by that any ſatisfaction from his captain, nor is his captain liable to any puniſhment by martial law for the moſt malicious and cruel tyranny; tho' in truth it ought to be conſidered as the trial both of the accuſer and accuſed, and an honourable acquittal of the latter be always attended with a cenſure and puniſhment on the former. Tis true the injured perſon may have recourſe to common law; but beſides that that plainly ſhews a deficiency in the martial law, he, who has recourſe to that method, will be ſure to raiſe himſelf ſo many enemies, in the fleet, that he will ſcarce ever be able to get preferment afterwards. Since neither the lords of the admiralty, nor the commanders of the navy, approve of thoſe, who ſeek for redreſs in other courts, however defective

their

their power, not to ſay, byaſſed or partial their inclinations, to give it.

Neither has a captain power to puniſh any offences committed on board his ſhip by the common men, any otherwiſe than by a dozen laſhes. To confine all ſuch offenders till they are brought to a court martial would be endleſs, and to connive at the captain's puniſhing them arbitrarily is attended with many inconveniencies. In the army, I believe, every regiment has a power of holding court martials, for ſuch petty offences; and the ſame power granted to the captain, the commiſſion and warrant officers aboard every ſhip, to try the common men for offences not capital, and to determine what degree of confinement was neceſſary for the good of the ſervice, when any officer had been guilty of a fault, till he could be tried, could not be hurtful, and muſt in many caſes, be highly beneficial to the ſervice.

* And, as all commanders of ſquadrons ought, by virtue of their command, without any ſeparate commiſſion, to have a power of holding court martials, when they ſee proper, ſo it ſhould be part of their duty after an action, to make a ſtrict enquiry into the conduct of their officers, and to give

* They have this power by an act made ſoon after this letter was written.

due praiſe and teſtimony to thoſe, that have done their duty, and to puniſh with exemplary ſeverity thoſe who have tranſgreſſed; and if an admiral omits, as ſoon as conveniently can be, after an action, to make ſuch an enquiry, and to proceed accordingly, it ought to be conſidered, as a crime puniſhable in him. Had this been done after the infamous battle of Toulon, what a trouble and expence would it have ſaved the nation? and from what a load of ignominy and contempt would it have preſerved the fleet? and what an advantage a ſtrict and impartial enquiry would have been to the ſervice, may fairly be concluded, from the effect the puniſhment of the like crime, the beginning of Queen Anne's war had; and from the many repetitions of the ſame infamous conduct we have ſeen in this. But no notice was taken of the moſt flagrant cowardice, that ever diſgraced a Britiſh fleet. —Or if any notice was taken, it was not to puniſh, but to reward the guilty captains with the moſt honourable commands and lucrative cruizes, which were in the admiral's power to beſtow. A conduct ſufficient to corrupt a fleet, and altogether unworthy of a Britiſh admiral. Indeed admiral Mathews was pleaſed in his defence to make a very ſtrange inference from this conduct, viz. that he was entirely ignorant, that any of them had behaved ill. But as he was neither

wounded

wounded in his perſon, nor his ſhip engaged any time, and the ſhips of many of his own diviſion were not in their proper ſtations, nor near enough to annoy the enemy, Chriſtian charity itſelf cannot believe him, and muſt put a very different interpretation both upon his conduct in the action, and his behaviour afterwards, from what he would have us. And to juſtify this, let it be remembered, what he ſaid of thoſe very captains in the houſe of commons afterwards, that they did fight at too great a diſtance, but that they were young men (tho' by the way the youngeſt of them was near 40, and younger than moſt of them both in rank and years have been ſince made admirals) and that he adviſed them privately to fight cloſer for the future. Tho' it might have been thought time enough to have diſtinguiſhed them with his favours, when they had had an opportunity of following his advice, by doing their duty better, and engaging the enemy cloſer.

'Tis almoſt incredible, what miſchief ſuch a conduct occaſioned in the fleet. I have taken notice in my former letter, what cautious maxims were ſpread after admiral Haddock, whoſe hands were unfortunately tied up, had ſuffered the Spaniſh fleet to paſs him unmoleſted: ſome others, ſtill more fatal, were at this time propagated moſt induſtriouſly;

it was indeed ſometimes ſaid, that ſo many had behaved ill, that the admiral knew not how to act; but had ſent to England for directions; but the favourite topick was, that people in the fleet ought not to ſee the faults committed by their brethren—at leaſt they ought not to take notice of them; but to conceal them with the utmoſt care—that every body was liable to errors, and another time, they, who had behaved ill, would behave better. There wanted but one ſtep further to compleat the buſineſs, and that was to thank them, who had drawn back from their duty, for their prudent care of themſelves, and their ſhips. The commands and cruizes beſtowed upon thoſe, who have ſince been pronounced guilty, looked ſomething like this in fact, and in words it has almoſt been done by a court martial in England ſince that.

But, as the behaviour of the fleet at that battle, was the occaſion of an enquiry in the houſe of commons, and of ſome very extraordinary court martials, no leſs reproachful to the Britiſh navy, than the cowardice of the captains in the engagement, I believe the beſt way to ſet before you the defects in our law about court martials, will be to draw ſome obſervations from the order and behaviour of the courts which ſat upon

upon Norris in the Mediterranean, and upon the admirals and captains in England. For what was then done, ought to be conſidered as precedents, which there is no law to puniſh another for following, and conſequently ought to be ſet in the ſtrongeſt light that an effectual remedy may be provided for the future againſt ſuch iniquitous proceedings.

Some months after the engagement, there happened a diſpute between captain Norris and his lieutenants, one of whom Mr. Jekyll, wrote to the admiral complaining of his captain's tyrannical behaviour, and in his letter mentioned his cowardice on the 11th of February, alledging as an excuſe, that he had not complained againſt him before on that account, that his captain's behaviour was ſo notorious, that he thought the admiral and the whole fleet could not but have obſerved it, and that therefore there needed no particular information. The captain, who was very well, and I believe with the admiral, when the letter was brought, was ſuddenly taken with the gout in his head, and wrote for leave to quit, upon a wrong preſumption, that a perſon, not actually in the ſervice, was not liable to be tried by a court martial for any crime, tho' committed while he was in the ſervice. This was a great miſtake, and had been decided by the twelve judges

in Queen Anne's time, who had given it as their opinion under their hands, that a perſon who had belonged to the ſervice, and during that time committed any crime, might, if he had quitted the ſervice, yet ſtill be tried by a court martial for it. However, this miſtake was ſo general, that the whole court martial fell into it afterwards, and Norris thought himſelf ſafe, if he was permitted to quit, which was granted him—tho' on that preſumption a regard either to him or the public ought to have been an inſurmountable bar againſt granting it. And if Norris had not been conſcious of his guilt, he never would have aſked it till he had been tried. An innocent perſon would been more eager for a trial, than an accuſer could have been; nay, had his health been as bad as he pretended, tho' the contrary was evident to all the fleet, and I will venture to add to the admiral himſelf, he would not have deſired leave to have quitted, by which it was underſtood, he would not be ſubject to a court martial; but only that another might be appointed pro tempore to command his ſhip by order, till his health ſhould be recovered, and he able to take his trial. But that did not ſuit his former conduct: when we reflect upon that, we need not be ſurprized, that he acted as he did. But what is really marvellous, is, that one ſo highly intruſted

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by his king and country, as admiral Mathews was, ſhould ſo far forget himſelf, as to prefer the ſafety of an arrant coward, to his own honour, and to the intereſt of his king and country. Had Mr. Mathews puniſhed the captains of his own diviſion, who were wanting in their duty, and not meddled with Mr. Leſtock, 'tis very probable his own miſtakes might never have been credited by the public, but been hid by the ſmoak of the few guns, that he fired, which got him the reputation of the fighting admiral.

It will be but fair however to mention what was ſaid by the friends of the admiral, and Mr. Norris, to juſtify the admiral, in in permitting him to quit, and taking no notice of Mr. Jekyll's letter. They thought, that the information againſt him ought to have been given ſooner, and that an accuſation againſt him at ſuch a diſtance of time appeared plainly to be malicious, and therefore did not merit the admiral's notice. Now Mr. Jekyll did own in his letter that the accuſation ought to have been given ſooner, but that he thought it needleſs to acquaint the admiral, with what muſt have been apparent to him and all the fleet, and that he, and his brother officers did not queſtion, but that the admiral would have done what was proper for the puniſhment of ſuch notorious of-

fenders. This was not liked, becauſe it looked like an accuſation of the admiral himſelf; and I am apt to believe, if his officers had thought immediately after the action, that an accuſation from them was neceſſary in order to have brought Norris to a trial, they would have accuſed him. But after ſo long an interval of time, they would not have complained of him upon that account, if they had not thought themſelves aggrieved in other reſpects. But ſtill the accuſation did not deſerve to be ſtiled malicious in ſuch a ſenſe, as to have it ſtifled. If in civil affairs, an information be given againſt any perſon, eſpecially where the publick is concerned, the motive, upon which the informer acts, is not then enquired into; the fact is to be examined firſt, and, if that be proved, the information is not ſtiled malicious, tho' reſentment might appear to be the true reaſon, why the information was given: it will unqueſtionably leſſen, perhaps quite deſtroy the weight of the informer's own evidence, but the fact may be proved by other evidence. But a malicious accuſation means, in the eye of the law, what proceeds from malice only, without any evidence to ſupport it; and had this been the caſe here, captain Norris would not have been troubled with the gout in his head. He would have ſtood his trial, been acquitted,

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and had his accuſer treated, as a malicious accuſation deſerved. Guilt enforced a different conduct; and the favour then ſhewed him points out a defect in our laws about court martials, that admirals are not obliged to hold court martials to try the conduct of their officers, when any complaints are brought againſt them. By a late very imperfect law about court martials, power is given to the admiral, who commands in chief, to order them to be held, and to the judge advocate to collect the evidence againſt the perſon accuſed; but there is no puniſhment added, if the admiral neglect to call a court martial, or the judge advocate take the depoſitions partially, in order to ſcreen the criminal; ſo that a perſon may offend very notoriouſly and momentuouſly, and yet be ſecure of being acquitted, if he has either the commander in chief, or his ſecretary, who generally acts as judge advocate, for his friend; and as a perſon cannot be tried twice for the ſame fact, ſome care ought to be taken to oblige the admiral, the judge advocate who collects the evidence, and the court martial to do their duty to their country in their reſpective charges, by collecting the evidence of the fact with care and impartiality, and giving ſentence with candor and juſtice.

But

But after this, what muſt captain Norris do? He had a family, his circumſtances but indifferent; the clamour againſt him ſo ſtrong both in the fleet and England, that he could not hope to be ſoon employed, unleſs he was tried and acquitted; his guilty friends adviſe him to ſtand a trial, and aſſured him that their intereſt would bring him off, which they thought would be a ſcreen to themſelves and prevent any other lieutenant from being ſo ſaucy as to accuſe his captain. Neceſſity ſeconds their advice, and he conſents to write to England for an order to be tried to clear his character, and enters a volunteer on board the Marlborough, that according to the miſtaken notion, that prevailed in the fleet, he might be capable of being tried by a court martial. But this was a ſtep he took with fear and trembling, as his behaviour afterwards demonſtrated.

Mr. Mathews had ſome time before this ſtep reſigned the command of the fleet, to vice admiral R—, a gentleman, who in every other reſpect during his command acted with great prudence and conduct, and really deſerved the thanks of his country; but here unhappily he ſhewed a biaſs very blameable in a general and a judge. There had ſubſiſted a great friendſhip between Mr. Mathews and

Mr.

Mr. R—; it may be ſuppoſed that Mr. Mathews had recommended Norris ſtrongly to Mr. R—, who beſides had a great regard for Sir John Norris; and was too intimate likewiſe with ſome captains, who were as guilty as Norris himſelf. All theſe motives influenced him to connive at ſome things perhaps, and to be more tender in this affair, than for his own and his countries ſake he ought to have been, which unhappily drew upon him the vote of your houſe, that the proceedings in this trial were partial, arbitrary, and illegal.

While an order for Norris's trial was expected from England, he obtained his diſcharge from the Marlborough; the event was too doubtful for him to be under the juriſdiction of a court martial, which he thought he was not, if he was only upon half pay; and afterwards he thought he might act, as he ſhould ſee his judges inclined, and his witneſſes ſwear: for every method was taken to influence many of the common men of the Eſſex, the ſhip, which he had commanded, to give ſuch an evidence, as would be favourable to him, a thing, which they, who are acquainted with the thoughtleſſneſs of ſeamen, will believe to have been very practicable: and, when the order for his trial arrived, letters from England were

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produced by Norris and his friends, which poſitively ſaid Sir John Norris was in high favour with the king, and at the head of the admiralty.

As ſoon as the order for his trial was received, notice was ſent to captain Norris, that he might prepare for it; and to the captain of the Eſſex, that he might cauſe the order to be publickly read; that all, who had any thing to accuſe captain Norris of, might offer themſelves. The other three lieutenants, the maſter, and ſome other gentlemen of the Eſſex, wrote to the vice admiral, that they were ready to give evidence againſt him: And Mr. Jekyll wrote, that he had already given in an accuſation to admiral Matthews, againſt him, which he was ready to make good. Their depoſitions were taken, and a day appointed for the trial; but no perſon was ſummoned from any other ſhip.

When the day of trial came, it was ſaid by ſome of the court, that as captain Norris did not belong to the ſervice, he could not be tried by them: And the order, tho' expreſt in the uſual form, for holding court-martials, having ſome ambiguity in the words, they took a moſt extraordinary and illegal ſtep; they reſolved they would not try him, but only hear the complaints againſt him,

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and his defence, and report them to the admiralty; and, inſtead of taking the uſual oath, to hear and determine, another was impoſed, to hear and report the cauſe, without giving their own opinion of it.

This was, perhaps, a ſtep further than Norris deſired; he wanted to have had this excuſe in reſerve, to have pleaded, if he had been condemned, that he did not belong to the ſervice, and therefore was not to be tried by a court-martial; but had the court acquitted him, he would then willingly have acquieſced to its juriſdiction; had he been ſure of his innocency, he might have found a way to have ſatisfy'd all their ſcruples, by entering as a volunteer on board any ſhip in the fleet; but notwithſtanding all the care that had been taken to manage and tutor his evidence, and to influence the captains, by the report of his father's being at the head of the admiralty, &c. this was too hazardous a ſtep; and indeed the truth was very ſtubborn. Some circumſtances appeared, even from his own evidence, that made the accounts ſent by the court to the admiralty, ſhew very plainly his guilt, and their partiality. After this extraordinary and illegal ſtep, Mr. Jekyll was ſummoned; he came, but refuſed to be ſworn as an evidence: He ſaid, he looked upon himſelf as the proſecutor, and therefore, his evi-

dence

dence was not to be taken; but he thought he had a right to call ſuch witneſſes, and propoſe ſuch queſtions to be aſked by the court, as he ſhould think neceſſary to prove the charge. He likewiſe deſired leave, to except againſt two members of the court, for uſing illegal means to entice men to ſwear on behalf of Norris. Upon which a debate enſued, whether Mr. Jekyll was to be conſidered as the proſecutor, and whether, he ſhould have liberty to call witneſſes, and propoſe ſuch queſtions, as he thought proper; but, as the court was held in obedience to an order from the admiralty, granted to Norris's application, it was determined, that he had no right to call and examine witneſſes, but only to give his own evidence. Then it was debated, whether he might not be compelled, to be ſworn and to give his evidence; but Norris's friends very readily waved that, ſince a material evidence againſt him would be ſuppreſſed. And, as he was only conſidered as an evidence, he was not to be permitted to propoſe objections againſt any members of the court martial. Being called in, and acquainted with the reſolutions of the court, he ſtill refuſed to be ſworn, and was diſmiſſed, and Norris was ſent to, to know, whether, ſince Mr. Jekyll refus'd to be ſworn, he would have the enquiry go on? This

was in the plaineſt manner, to acknowledge Jekyll to be his accuſer; nay, it was making him the only accuſer: and can it then be doubted, whether he ought to have had the privilege of a proſecutor? and if a proſecutor be not allowed to ſummon witneſſes to prove what he alledges, he may be ſingle in his charge; and the criminal, having the right to call what witneſſes he pleaſes in defence of himſelf, muſt always be acquitted by numbers: I believe Jekyll was in the wrong to refuſe to be ſworn, ſince in criminal caſes the proſecutor is always admitted as an evidence, the proſecution being carried on in behalf of the crown; but I cannot but think that he ought to have been allowed to ſummon ſuch witneſſes, and propoſe ſuch queſtions to be aſked, as he thought neceſſary. 'Tis true, the court martial was held by an admiralty order, granted upon Norris's application; but was not this in order to clear his character from the aſperſions that had been caſt upon him? and had not Jekyll been his only accuſer in form? his character could not be cleared, unleſs his accuſer was allowed to endeavour to prove his charge, and Norris invalidate that proof. Could Mr. Jekyll have had the liberty of calling what witneſſes he pleaſed, to ſupport the charge, and propoſing proper queſtions to be aſked of the evidence, ſo many

many officers of other ſhips might have been ſummoned, nay moſt of the judges themſelves might have been appealed to as witneſſes againſt captain Norris; that the evidences againſt him would have been more in number as well as credit, than thoſe he had procured for him; and ſuch queſtions might have been aſked of Norris's witneſſes, as would have made their teſtimony contradict itſelf, and their perjury apparent. As to Mr. Jekyll's objecting againſt any members of the court martial, whether that be legal, I know not. A perſon may object, I believe, againſt a juryman, but I never heard of any objection being made againſt a judge, and captains in a court martial are judges rather than jurymen. But if it be legal, and had been allowed, he would moſt certainly have been able to have proved, that ſome of the members had uſed methods unworthy of their ſtations and characters, and which diſqualified them from ſitting as judges.

Jekyll's evidence being thus fruſtrated, and the court having moſt complaiſantly ſent to Norris, to know whether he would have the enquiry proceed, he and his friends were in high ſpirits, looking upon this beginning as an happy omen, and he deſired that the court would proceed in the examination.

It

It will not be amiſs in this place, to take notice, in what manner depoſitions in ſea trials are taken. Before the day of trial, the witneſſes againſt the perſon to be tried give their evidence to the judge advocate, which he takes down in writing; this, being done in private, not in an open court, gives the advocate, who, if the trial be abroad, is generally the admiral's ſecretary, too much power of favouring the accuſed perſon, if he pleaſes, by ſoftening or palliating the evidence. Afterwards, on the day of trial, the witneſs is ſummoned into court to hear his depoſition read, to ſwear to the truth of it, and to anſwer truly to ſuch queſtions, as the court ſhall aſk him. But 'tis very poſſible, if the depoſition be only part of what he knows, and told the judge advocate, yet thro' modeſty, fear, or ignorance, he may not have the courage to ſay, this is only part of what I gave in evidence, ſuch and ſuch things ſhould be added. And, when he is aſked a queſtion by the court, he is to confine his anſwer to the queſtion only, and is not permitted to illuſtrate his anſwer by ſuch circumſtances, as he thinks proper; ſo that, tho' he may tell the truth, he may not tell the whole truth, and his evidence, tho' not falſe, may yet place things in a very wrong view; and as theſe depoſitions were taken ſome days before the

trial, captain Norris was perfectly well acquainted with their contents, and could inſtruct his witneſſes accordingly. Nor is there any law againſt a judge advocate for partiality in ſuch caſes.

The lieutenants and officers of the Eſſex, who were witneſſes againſt Norris, were examined firſt, and their evidence was not only full, clear and conſiſtent, but agreeable to what the greater part of the court knew in their conſcience to be true. Then the witneſſes for Norris were examined, many in number, but moſt of them common men. All the gentlemen, that I recollect among them, were lieutenant colonel Croſby, whoſe daughter captain Norris had married, and a lieutenant of ſoldiers. There was beſides, I think, the gunner of the ſhip. All the reſt were either common men, or midſhipmen of captain Norris's creation, and what credit their teſtimony deſerved, will appear from this part of their evidence, they not only ſwore, that their captain behaved well in the action, but that they did not hear any murmuring againſt his behaviour either on that day, or for near two months after, till he and his officers differed. A thing ſo notoriouſly falſe, that not only the court, but even you in England could have diſproved; ſince by many letters ſent to England, he had

had been greatly complained of, whether with juſtice, or no, was now to be tried; but that complaints againſt him had been made was ſo notorious, that neither his witneſſes, nor the court, could poſſibly be ſuppoſed to be ignorant of it. For after the action, till he reſigned, he could not paſs by a ſhip in his boat, without being hiſſed; when his boats were ſent aſhore, tho' he was not in them, the crews were inſulted, frequently beat, oftner than once in the preſence of admiral Mathews, and their conſtant anſwer was, they could not help their captain's cowardice; what credit then did their teſtimony deſerve? or what muſt we think of a court, that heard this evidence given, without taking proper notice of it?

When the lieutenants of the Eſſex ſaw the numbers that were brought to ſwear Norris off, they wrote to the court to deſire, that they alſo might have the liberty to ſummon witneſſes. But it was refuſed to them, as it had been to Jekyll. And the lieutenants of the Marlborough wrote to deſire, that they might be permitted to give their evidence, which they thought themſelves qualified to do, leſt the juſt and honourable deſigns of the lieutenants of the Eſſex ſhould be baffled. But the court was of opinion they ought not to be admitted, ſince their letter was not

delivered till the 4th day of the court's ſitting, and they ſeemed, by the words of the letter, to prejudge the cauſe.

It was very induſtriouſly ſaid both here and at the court martial at Deptford, that a court was more to be guided by the number of the evidence and by what they ſwore, than by the character of the evidence or what the court themſelves knew to be true from their own obſervation, than which nothing can be more abſurd. If a man ſwears a thing to be fact, which any one of the judges knows to be falſe, the judge not only cannot believe him in that particular, but he has juſt reaſon to reject his evidence in every other reſpect; and, if I miſtake not, I have read of judges, who have come from the bench to be ſworn as an evidence to ſome particular circumſtance, and then returned to the bench again.

But what is moſt to be lamented, is, that there is no law now in force likely to prevent this dreadful evil of perjury. Indeed there is an act of parliament made in 1745 upon this very account, but, with ſubmiſſion to ſo high an authority, 'tis not calculated for ſeamen, and altogether uſeleſs to the end deſigned; for by that it is enacted, that all, who are guilty of wilful perjury, or of ſuborning thereto at court martials, are to be proſecuted in

in the courts of Weſtminſter, and puniſhed according to two acts of parliament made one in the 5th of Elizabeth, and the other in the 2d year of his preſent majeſty. But are not the perſons who are moſt likely to be guilty of this, generally thoughtleſs drunken ſeamen, who look no further than the preſent, and for a little money and drink will be prevailed upon to ſay any thing which is not atttended with immediate puniſhment? Is it to be ſuppoſed, that ſuch will be deterred by a puniſhment ſo remote, and indeed ſo unlikely to be inflicted? for the perſons, for whoſe ſake they are perjured, are generally delinquents againſt the crown: who then is to proſecute them? are they to be kept in chains till they are brought to England? that would be burthenſome and inconvenient to the publick ſervice, and might be hard upon them not if they are guilty, for then no puniſhment can be too ſevere; but an innocent perſon may be accuſed, and if he is not to be tried, till he is brought to England, and kept in chains till then, he may loſe his life. Or, if they are to be ſet at liberty, who are accuſed of perjury, how is a vagabond ſeaman to be found, when he comes to England? will the attorney general think it worth his while to ſeek after, and proſecute him? or would any end or purpoſe

be ſerved by putting him in the pillory, or in priſon, three or four years perhaps after the crime was committed? the only way to deter a thoughtleſs ſeaman from perjury is preſent exemplary puniſhment; as the principles of religion are the moſt powerful preſervative againſt it in the heart of a thinking and conſiderate man.

The examination ended, the whole proceedings were ſent to the admiralty in England without ſo much as the court's opinion of it; which was another inſtance of their partiality in his favour. Moſt of the court had been eye witneſſes of Norris's behaviour, and therefore no evidence could be ſufficient to make them believe contrary to what they knew; they likewiſe were well acquainted with the credit of the evidences, and what weight the teſtimony of each ought to have; but the lords of the admiralty were ſtrangers both to the fact and to the witneſſes; the depoſitions too long and tedious to be read by them, and as they were expreſt in the ſea terms, in which moſt of their lordſhips were not verſed, utterly unintelligible to them. They had no way to judge of the truth, but by the number of the evidence for and againſt Norris, and conſequently muſt ſuppoſe him innocent, when

when the court in their conſcience knew him to be guilty.

I don't intend, ſir, to go on in the ſame method, and give you a journal of what paſt at Chatham and Deptford. The tranſaction in general is very well known; I ſhall only point out ſome particulars, moſt of which are very notorious, and all of them true, in order to illuſtrate the deficiencies in our laws about court martials.

The expence was exceſſive to the nation, partly from the multitude of witneſſes, which were called home from the Mediterranean, and were obliged thereby to reſign their ſhips to others, which occaſioned a vaſt increaſe of officers; the witneſſes expences were likewiſe to be paid, while they waited upon the court——partly by the number of captains, who ſat as judges, who by the cuſtom of the navy moſt all have the command of ſhips to entitle them to ſit as judges; and as many of their ſhips were ſent to cruize during the time, there was a neceſſity of appointing other gentlemen to command them pro tempore. The long time the trials continued is another very obvious particular, occaſioned partly by the nature of ſea trials, and the manner of giving evidence in them, and partly by the number of unneceſſary

witneſſes, I will venture to call them, which were examined.

The length of time between the action and trial was a very great hardſhip upon the evidence, ſince they were aſked about many things, which muſt in great meaſure have ſlipt their memory, and conſequently made their teſtimony appear more uncertain and imperfect.

The nature of taking the evidence by writing, and in private, gave great opportunities of being partial; and as the witneſſes when they were examined in court, were only permitted to anſwer the particular queſtions which were propoſed by the court, and not to give a relation of all they knew concerning the matter in their own way, their evidence, tho' no part of it might be falſe, was yet very far from making the truth appear in its proper light. This is, what I have heard ſeveral gentlemen ſay was their own caſe.

Many common men were ſummoned in behalf of their captains, whoſe perjury was ſometimes ſo flagrant, that the court thought fit to order the act before mentioned againſt perjury to be read, which had juſt as much effect, as could be expected from it, i. e. none at all; and yet the number of witneſſes

neſſes ſworn, tho' their veracity could not but be ſuſpected, was urged as a ſufficient reaſon to reject the evidence on the other hand, tho' given by perſons of credit, who had ſomething to loſe, and could not ſo eaſily be bribed as the others. It will be but juſtice to obſerve, that old captain Williams called very few witneſſes, and was very ſenſible of his fault; that the captains Weſt, Cooper and Loyd owned their breach of orders, and urged as an excuſe the neceſſity of diſobeying them for the preſervation of the fleet; and that captain Sclater reſted his cauſe upon the evidence ſummoned by the crown without calling any of his own, and was honourably acquitted.

The captains, who were cenſured, ſeemed to think it a ſufficient juſtification of themſelves, if they could prove, that they were during any time of the engagement within point blank ſhot of the enemy, whereas, if they had been all the time of the engagement juſt within that diſtance, they would yet have deſerved death; ſince they could not ſo far off do their duty; or, if they had been for a little time only within piſtol ſhot, and had not continued the engagement cloſely, they might have been equally guilty. Tho' ſome of the captains were convicted, and declared by the court not to have done

their

their duty, by which the enemy eſcaped; and tho' the nation had been at ſuch a vaſt expence to obtain juſtice, yet they were only broke, and not condemned capitally, in conſequence of a latitude given to court martials, that perſons, who have offended, ſhould be puniſhed with death, or otherwiſe, as a court martial ſhall think fit. This puts it in the power of a court to ſhew favour to their friends, without being puniſhable for it, and is ſuch an aſylum to men of intereſt, that 'tis hardly poſſible, that ever any ſuch ſhould be capitally condemned. I have already obſerved in my former letter that it is very reaſonable, that men of intereſt and family ſhould be preferred to others, cæteris paribus; but in the execution of their duty, no diſtinction ſhould be ſhewn; or if any difference be made, they ought to be puniſhed with greater ſeverity, and loaded more conſpicuouſly with ignominy, as they have abuſed the honour their country has done them, and brought a blemiſh on their family and relations.

Its true, circumſtances may alter the nature of an action very much, and conſequently the puniſhment due to it; but here there were no alleviating circumſtances to be alledged, but very many, which aggravated their crime. And there are ſome crimes of

ſuch

ſuch a nature, that the puniſhment may eaſily be aſcertained. As keeping back from an enemy in battle—running away from an enemy of equal force—diſobeying in the time of action orders, or ſignals of conſequence. One would think there can be no doubt, whether theſe, or ſuch crimes as theſe, ſhould not be puniſhed with death without leaving it in the power of the judges, to puniſh the criminal in a milder manner. If any thing favourable to the accuſed perſon appears, which may alleviate, tho' not juſtify, the crime, it will be ſufficient, that the court martial have a power to repreſent the caſe with all its favourable circumſtances to the king, who is the fountain of mercy, as well as honour, and to ſuſpend the execution of the ſentence, till his pleaſure be known. This, I believe, is all the power, that the judges in civil caſes have, and I have never heard of any inconveniencies, that have ariſen from it; and ſuch a reſtrained power would be abundantly ſufficient here, where ſeverity is much more neceſſary than in civil affairs; for there puniſhments are made the ſanctions to laws, obedience to which is for the moſt part eaſy and natural, and therefore more gentle perſuaſives may be uſed; but here, ſanctions are added to force men ſometimes to act

againſt nature, and to deſpiſe death, and run into danger, and therefore puniſhments annexed to the diſobedience of them ſhould be the more violent and explicite, and diſplayed in all their terrors, in order to give them force ſufficient to anſwer the end deſigned. Only, if by accidents of the ſea or weather, it be made appear, that it was impoſſible for a captain to attack the enemy, or obey a ſignal, or to do what was required and expected of him, then the ſentence ought to be, not that he did not, but that he could not, obey orders, and perform what was allotted to him. This will ſufficiently vindicate his character.

There ſeemed to be ſomething prepoſterous in trying two admirals of Mr. Mathews's and Mr. Leſtock's age, dignity, and reputation by a court conſiſting moſtly of young captains. In the army I am told general officers are tried by general officers, and it would have been much more ſuitable and ſolemn to have had two officers of their rank tried by admirals, than by captains, who, conſidering how lately they were made ſuch, might be juſtly diffident of their own capacity, in judging the conduct of two commanders, whoſe ſkill and abilities were, till that affair, ſo univerſally acknowledged. I am as much prejudiced againſt theſe court martials,

martials, as any man, and am convinced, they neither did their country, nor the corpſe, they belonged to, juſtice; but I own, I think it a very ſtrong excuſe in their behalf for not puniſhing one of the admirals more ſeverely, that they would not venture to pronounce ſo peremptorily ſentence upon the conduct of officers, whoſe character and experience were ſo confeſſedly ſuperior.

From this account of the two court martials, and the obſervations I have made upon them, I believe it will appear that there are ſeveral defects in our laws relating to them—* There is not a ſufficient power veſted in commanders in chief for calling court martials, by which perſons accuſed are ſometimes kept unreaſonably long in confinement to the great prejudice of their health, and ſometimes when they are innocent—The laws in being do not give ſufficient ſatisfaction to perſons, wrongfully, wantonly, or maliciouſly accuſed——Commanders in chief are not enjoined after any action to enquire into the conduct and behaviour of captains under them, that they may reward them who have behaved well, and puniſh them, who have been wanting in their duty—There is no law againſt the partiality of

* This defect is remedied by a law made ſoon after this letter was wrote.

judge

judge advocates, nor againſt ſuppreſſing of evidence; nor are the laws ſufficiently ſtrong, nor properly calculated againſt perjury, or ſuborning of witneſſes. —— The manner of giving in the evidence in writing privately, and not viva voce in court, and the witneſſes being permitted in public only to acknowledge their written depoſitions, and to anſwer to ſuch queſtions, as the court ſhall aſk them, without giving a narrative of the fact in their own way and manner, give room for great partiality, and often occaſion the evidence to be very imperfect, and the truth to be greatly miſrepreſented.

* The number of captains, who ſit at a court martial, and the neceſſity of their being actually commanders of men of war, and not upon half pay, is not only very expenſive, but may be detrimental to the public ſervice; by detaining the ſhips they command from being employed againſt the enemy.— The great number of common men examined as witneſſes, protract the time, and are the occaſion of much perjury. And the power given in moſt caſes to court martials to inflict what puniſhment they think fit, is

* This is in ſome meaſure remedied by a clauſe, in an act mentioned in the poſtſcript, where the number is fixed to be not more than nine, nor leſs than five.

too

too manifeſt a refuge to men of intereſt, and highly hurtful to the public.

To remedy which inconveniencies, be pleaſed, Sir, to conſider, whether ſome ſuch regulations, as theſe that follow, might not be of ſervice.

I. That * every commander in chief of a ſquadron may, by virtue of his command, whether inveſted with it by the lords of the admiralty, or by the death of his ſuperior or ſenior officers, without any ſeparate particular commiſſion, have a power of ſummoning court martials, as often as ſhall be neceſſary, and perhaps it would not be amiſs, that lieutenants, who had ſerved three or four years as ſuch, might be admitted to ſit at the court martial with captains (as ſubaltern officers are at court martials in the army) where the rank of the officer to be tried is not above that of a private captain, and that every captain of a forty gun ſhip and upwards have a power to hold a court martial on board his own ſhip, where the commiſſion and warrant officers are to aſſiſt, for the trial of all petty offences, committed by perſons under the degree of a warrant officer, and for the determining what degree of confinement is neceſſary, or relaxation may be allowed, to

* This power was given by the law before alluded to.

any

any officer, who is accuſed of any crime, until he can be tried. Provided however, that, if the captain of that ſhip be in company with any ſuperior or ſenior officer, he aſk his permiſſion for the trial of all petty offences committed by perſons under the degree of a warrant officer, and acquaint him with the ſentence, as ſoon as it is paſt, and that, the ſentence ſhall not be executed without his, the ſenior's, or ſuperior's approbation; and if it be to determine what confinement is neceſſary, or liberty may be allowed to any officer accuſed of a crime, until he can be tried, the officers of the other ſhips in company, may have the ſame right to ſit at the court martial, as the officers of the ſhip, to which the accuſed belongs.

II. That every commander in chief after an action, be enjoined, as ſoon as the publick ſervice will permit, to enquire into the behaviour of his captains, and to reward ſuch as have done their duty, in an open and ſolemn way, and to try ſuch, as are accuſed of neglect or cowardice, and paſs ſentence, as the cauſe ſhall require, and that every neglect hereof ſhall be puniſhable in the commander himſelf.

III. That, if any perſon ſhall accuſe another of neglect or cowardice, he may have liberty to ſummon what witneſſes, under a

reſtriction

reſtriction hereafter to be mentioned, and to propoſe what queſtions, he thinks proper to ſupport his charge, and that the court likewiſe be enjoined to ſee, that juſtice be done both to the king and priſoner. But that, if the charge appear vexatious or malicious, the accuſer be puniſhable in the ſame manner, as the accuſed would have been, if he had been found guilty, or in ſuch other manner as the legiſlature ſhall think fit. But this is to be underſtood only, where the proſecution appears to be entirely groundleſs, and malicious: where there are ſtrong appearances of guilt, tho' they may prove falſe, and the accuſed be acquitted, yet the accuſer may be innocent.

IV. That both the proſecutor and the accuſed may have liberty to except againſt any of the judges, for ſuborning of witneſſes, or marks of partiality before the trial, and that ſuch allegations be examined and conſidered previous to the trial, and ſentence paſt accordingly.

V. That the judge advocate be required, under ſevere puniſhment, to be impartial in collecting the evidence, and that all ſuborning of witneſſes, or ſuppreſſing any part of the evidence be puniſhed immediately, and in an exemplary manner; and that the better

to prevent any partiality, every witneſs be permitted to give his evidence viva voce in the open court, and to tell his ſtory his own way.

VI. To prevent any unneceſſary expence or detriment to the publick ſervice by detaining many captains at a court martial, that the number be fixed * to five, ſix, or ſeven, and where there are more officers than that number, qualified to ſit at a court martial, that they may be choſe by ballot, not by the admiral or commander in chief; and that every unfair method uſed in the balloting be puniſhable in the ſame manner, as ſuborning of witneſſes.

VII. When a captain of a man of war is accuſed of neglect or cowardice in an action, there, to avoid tediouſneſs and perjury, only commiſſion and warrant officers, and the mates, and midſhipmen upon the quarter deck and men at the helm, in that ſhip, and in other ſhips adjoining ſhall be ſummoned as witneſſes; for it muſt be preſumed that they are competent in number and the beſt qualified to give an account of the captain's conduct and management of the ſhip. However it may be allowed, upon a repreſenta-

* By the law before alluded to the number is fixed from 5 to 9 by ſeniority.

tion of either the proſecutor or accuſed, that any other perſon, who by his ſtation or any other accidental circumſtances, has had an opportunity of a more exact obſervation, may be admitted an evidence. This would prevent ſuch long trials, as we have ſeen in the Mediterranean, and at Deptford, and can not hurt the innocent, tho' it would effectually prevent the artful delays of the guilty. But this is only to be underſtood, when the management of the ſhip is in queſtion, and not in private quarrels and diſputes; in the former the officers muſt be ſenſible, and judges of what is done; in the latter they may be abſent, and ignorant, and they muſt be admitted witneſſes, who were preſent, and can give an account of the matter in diſpute, be their ſtation what it will.

VIII. That it be expreſsly declared that all perſons are triable by court martials, tho' they have quitted the ſervice, for things done while in the ſervice.

IX. That the puniſhment of every crime be explicitely declared by the legiſlature, and that the court be ſworn to pronounce ſentence, as the fact ſhall appear to, or be known by them to be true; but they ſhall have no power to alter the puniſhment; only, if any favourable circumſtances ſhall appear,

they may repreſent the ſame to his majeſty, and ſuſpend the execution of the ſentence, till the royal pleaſure be known.

X. If any commander or captain be convicted of cowardice, or notorious neglect of duty, part of his puniſhment always, and irrevocably to be, the loſs of all the prize money he has received, or is entitled to from merchant ſhips during the war, agreeable to what is ſaid in the former letter.

XI. An admiral to be tried only by admirals and old captains.

XII. If any perſon be guilty of perjury, and can be convicted, he ſhall be puniſhed immediately with corporal puniſhment if below the rank of an officer, and if an officer, be broke, fined, and impriſoned, and otherwiſe as the law ſhall declare. Tho' in truth the beſt way to prevent perjury, is to encourage religion. That will place a ſentry on every man's heart, and a guard upon his lips; that will inſpire him with courage in the field, with probity on the bench, and with truth at the bar.

I am,

Sir,

Your moſt obedient ſervant.

P. S. Juſt as I had finiſhed my letter to you about court martials, I received the copy of the bill now paſſed your houſe about them, which you was ſo kind as to ſend me; tho' remedies are provided againſt ſome of the inconveniencies mentioned in the above, yet many more remain ſtill to be rectified. Permit me to add my remarks upon it.

The inconveniency of commanders in chief abroad not having proper power to hold court martials, when there is occaſion, is fully remedied. But commanders in chief are not enjoined by it to enquire into the conduct of their captains after any important action, which ſurely would be an addition of no ſmall ſervice to the public. An admiral would not venture to paſs over any notorious cowardice or miſconduct, if the law had made that neglect criminal in him; and every captain would be more afraid of tranſgreſſing, if he knew, that he muſt be immediately tried and puniſhed for his fault. It is to be wiſhed that power was given to hold petty court martials on board ſingle ſhips for the trial of ſmall offences, as mentioned above.

The inconveniency and expence attending ſo many captains ſitting at court martials are remedied by that paragraph which limits the

number to not more then nine, nor leſs than five; allowing maſters and commanders to ſit where there are not poſt captains enough, is very right.

That the court ſhould continue ſitting de die in diem, and the captains not go on ſhore till the trial is ended, is a very proper regulation; but I muſt add, that, when the captain's conduct in an engagement is to be tried, it would both ſhorten the trial and prevent perjury, if only commiſſion and warrant officers, the midſhipmen on the quarter deck, and the men at the helm were permitted to be witneſſes, both in the ſhip, whoſe captain was called in queſtion, and in the other ſhips of the fleet, which were near enough for their officers to be judges or competent evidences in the matter, leaving only a power to the court to admit one or two more, or a few, who by their ſituation might be able to ſee, and explain ſomething very material in the action.

To enact, that perjury at court martials ſhould be puniſhed in the king's bench will never prevent it. A ſeaman does not look ſo far before him. Religion and immediate puniſhment are the only ways to hinder it. If you would prevent it effectually, a power muſt be given to the court to proceed upon the trial of

every

every perſon ſo guilty immediately, and to inflict ſome exemplary puniſhment upon the offender, as ſoon as convicted.

There is no puniſhment enacted for the ſuppreſſing of evidence, which has moſt ſhamefully been done both at home and abroad, nor any alteration with regard to the manner of taking the evidence.

The judges are ſworn to determine according to the rules and orders of the navy, and if any doubt ſhall ariſe, according to their conſcience, the beſt of their underſtanding, and the cuſtom of the navy in the like caſes. If by the cuſtom of the navy lately practiſed, no captain can be ſhot for cowardice, let it be never ſo flagrant, or the conſequences of it never ſo fatal to his country: I take upon me to ſay, that juſtice will never be impartially adminiſtred at court martials, unleſs the puniſhments to be inflicted upon crimes, eſpecially upon great ones, be as explicite as the nature of the thing will bear. It may happen, that where the cowardice is very flagrant, a man of intereſt may with great difficulty be broke, after he has acquired a fortune in the ſervice by the capture of defenceleſs merchant ſhips, ſufficient to enable him to ſet up his coach, buy a borough, get a ſnug place and laugh at the world. Break-

ing to men of his virtue and merit is no puniſhment; he looks upon it as a lucky circumſtance, which delivers him from the fatigues of the ſea, and danger of the enemy. And therefore it would be a wiſe regulation, if, when captains were to receive any prize money for the taking of merchant ſhips, they ſhould, as mentioned in the firſt letter, be obliged to give ſecurity for it; and if at any time during the war they ſhould after that be broke or condemned to death for cowardice or diſobedience of orders in an engagement, all their prize money ſo gained ſhould be irrecoverably forfeited to the public. As the matter now ſtands, if a captain runs away, as an engagement is beginning, and only ſtands within ſight of the flaſh of the guns, he is as much entitled to prize money, as an Haddock, a Cornwall, or a Greenville.

Permit me, Sir, to refreſh myſelf with the memory of thoſe illuſtrious perſons, whom you have often heard me mention with honour. After having had two juſt occaſion for blame, the recollection of ſuch exalted merit affords a pleaſing entertainment to the mind; it is like a fine road, and a delightful country to a traveller, after he has been

been ſhocked and fatigued with bogs, precipices, and barren heaths.

Mr. Haddock commanded the Grafton in Sir George Byng's engagement with the Spaniards off Sicily, where he behaved with the greateſt bravery and conduct; for as ſoon as he had diſabled the firſt ſhip he attacked, he left that to engage a freſh ſhip; in this manner he diſabled ſeveral of the enemies ſhips, without being ambitious of the glory of taking them himſelf, which he left to others, having firſt effectually prevented their ſailing away. During the time, that he commanded in the Mediterranean, he behaved with the utmoſt integrity, unſullied even with a ſuſpicion of any mean gain; glad to ſee, and ready to applaud and promote merit. I have before obſerved, that I have reaſon to believe he had reſtraining orders, which obliged him to ſuffer the Spaniſh fleet to paſs unmoleſted through the ſtraits of Gibraltar; it was his duty to obey; for he might reaſonably preſume, that thoſe orders were ſent in conſequence of a near proſpect of peace; but, when he found that was not the caſe, and that he was made a tool to ſome other intereſts, than thoſe of his country, he never enjoyed himſelf; a leſs delicate ſenſe of honour would have ſupported itſelf with the thought

that

that he obeyed orders; but he could not be ſatisfied with that, tho' ſuch was the eſteem all men had for him, that I never heard of one man, who ſuſpected either his courage or his probity. The diſorder occaſioned by this was fatal to his country, as well as to himſelf; for had he not been ill, 'tis probable, he would have been continued in the command; and another conduct and example in the commander, might have been crowned with very different ſucceſs, had there been an engagement, from what happened at the battle of Toulon.

Captain James Cornwall commanded the Marlborough in that engagement. Before the battle, he ordered his officers to engage the enemy ſo, as to take off the greateſt part of the fire from admiral Matthew's ſhip, whoſe ſecond he was; 'for, ſaid he, our ſhip 'is not of that conſequence in the engage-'ment, which the admiral's is, to the pub-'lic ſervice, and therefore by taking off moſt 'of the enemies fire from him, we ſhall beſt 'perform our duty to our country.' His orders were obeyed; the Marlborough attacked the Royal Philip with the ſpirit of an Engliſh man of war, and the admiral favoured his deſign more than he expected; for after firing a few ſhot, he ſheered off,

and

and left the Marlborough to engage the Royal Philip of 114 guns and a ſhip of 64 for near four hours, (and part of the time another ſhip of 74 guns) without either aſſiſting it himſelf, or ordering any of the idle ſhips of his diviſion to its aſſiſtance. The the brave captain was killed, after the ſhips had been engaged two hours; but even his death did not damp the courage of the officers and ſeamen, they were reſolved to ſink rather than to ſtrike, tho' forſaken by their friends, and ſo greatly overpowered by their enemies. His gallant behaviour merited the honour your houſe has done him, in deſiring that a magnificent monument ſhould be erected to his memory at the public expence.

Captain Thomas Greenville commanded the Defiance in the engagement with the French in the channel, under the command of admiral Anſon, and was killed. He had ſuch a grace and dignity in his perſon, that he commanded the reſpect of all who approached him, and ſuch a ſweetneſs and affability of temper, that all, who knew him, muſt love him. His fine ſenſe was improved and poliſhed both by men and books; for tho' young, he had a conſiderable ſhare of learning, being well ſkilled in the Latin, Greek,

Greek, French, and Italian languages, and having read many of the beſt books in ſeveral ſciences, beſides thoſe which belonged to his own profeſſion. When he was mortally wounded, he ſaid, 'it was better to die ſo, than to hold up an hand at a court martial, even tho' acquitted." When notice was brought to him below, that the enemies ſhip, with whom he was engaged, had ſtruck, ſome of the laſt words he ſaid, were, to deſire that the priſoners might be treated with humanity. Had providence been pleaſed to have prolonged his life, he probably would have been as great an honour to his profeſſion, and bright an ornament to his country, as England has produced.

Dîs aliter viſum eſt!

Forgive me, Sir, this digreſſion. Praiſe is due to their memory, from every lover of his country; 'tis all we can now give them.

His ſaltem accumulem donis, hoc fungar inani munere——

LET-

LETTER III.

Of GIBRALTER and MINORCA.

Wrote in the Year 1748.

Reflect, Britons, in what you cannot be ignorant of, with how much zeal for your liberty, and regard for your honour, you formerly ſuppreſſed the growing power of SPAIN; I remind you of this, that when you conſider, how much your valour contributed to reſtrain Spain, and your inactivity to the ſucceſs, which the FRENCH arms have lately met with, you may be ſenſible, there is nothing which you ought not to expect from your vigilance, or to dread from your inſenſibility. DEMOST. Phil. I.

Urbem venalem, et mature perituram, ſi emptorem invenerit! SALUST.

BRITISH MUSEUM

SIR,

AFTER having already wrote to you two very long letters, what apology can I make for troubling you with a third? but the converſation, we had about Gibralter and Minorca, made ſuch an impreſſion upon me, that I could not help thinking more ſeriouſly about theſe important places, than perhaps otherwiſe I ſhould have done, and was tempted to put my ſentiments in writing, being deſirous to know, whether you think my opinion is founded on good grounds.

I have not, Sir, found fault any where for the pleaſure of finding fault, or of cenſuring others; I have no where mentioned inconveniencies, which I thought could not be remedied, and if any thing is wrote, which may ſeem to reflect upon others, it is only, when the miſchiefs or inconveniencies conſequent upon it, can be remedied, or where the wickedneſs is ſo notorious, that it

it cannot be thought a ſcandal to publiſh it. When men are above ſhame, to ſpeak of their faults can be no ſcandal; and where the public can be ſerved by a bold truth, love of our country requires that truth to be told, and our tenderneſs of private perſons to give place to our regard for the public. You, ſir, as a ſenator, may have an opportunity of redreſſing your country's wrongs, when you are acquainted with them; but, as many of them cannot poſſibly come within the compaſs of your own view; in order to know them, you muſt add the obſervations of others to your own; and by comparing what others have ſaid, about matters, which have not at all, or very little been the objects of your own knowledge, you may be able to form a better judgment, what is moſt proper to be done, than even thoſe perſons themſelves, who ſeparately have furniſhed you with the hints, upon which your judgment is founded. As a man by his reaſon is enabled to make uſe of the powers and faculties of beaſts, birds, and fiſhes, and even of the virtues and properties of trees, vegetables, ſeeds, metals, and of inanimate matter in general, for his own eaſe, pleaſure and conveniency, by which he can effect more than the ſtrongeſt elephant,

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and go farther than the ſwifteſt eagle; ſo a wiſe ſtateſman, by happily directing and uſing the labour of the huſbandman, the ſkill of the mechanic and artificer, the wiſdom and ingenuity of the mathematician and philoſopher, the wit of the ſcholar, and the bravery of the ſoldier, ſoars, as it were, to a ſuperior ſpecies, effects, what to them ſeparately might ſeem impoſſible, and diffuſes ſtrength and vigor, harmony and magnificence thro' the ſtate.

Theſe two important places were ceded to us by the treaty of Utrecht; but neither at that time was there ſufficient care taken to make the poſſeſſion of them as ſecure and advantageous to the government, and as uſeful to the nation as they might have been; nor has that overſight been ſince remedied by any ſucceeding miniſters; nor the ſteps taken which prudence would naturally ſuggeſt, to perpetuate the poſſeſſion of them to Great Britain, and to leſſen the expence to the crown, and make them as valuable to the nation in general, and as comfortable to the inhabitants in particular, as they might have been made.

Now, tho' the poſſeſſion of both theſe is greatly advantageous to the nation, yet, of the two, Minorca is by much the moſt valu-

able; not only as it can be kept with greater eaſe, and has one of the fineſt harbours in the world, but alſo, becauſe it gives leſs umbrage to Spain, with whom it is our intereſt to live upon good terms. You will ſee by the map, that Gibralter is ſituated upon the continent of Spain, at the mouth of the Straits, in a fine climate, an healthy country, and where there is moſt excellent water; and conſequently extremely convenient for ſhips going up, or returning from the Straits, to ſtop at, water, and refreſh their men. And as it is oppoſite to the Barbary ſhore, and but a few leagues diſtant from it, muſt be of great ſervice to our ſhips, in affording them a ſanctuary, when we are at war with thoſe pyratical ſtates, which always will be the caſe, when they think, they can get any thing by breaking with us; but as this is very near their territories, our men of war from Gibralter can fall upon them ſuddenly, and conſequently keep them in ſuch awe, as will make them afraid to break with us. But, when our miniſters obtained this for the crown of Great Britain, they ſhould likewiſe have inſiſted upon a ſmall territory adjacent to it, not only for the conveniency of ſupplying the garriſon with freſh proviſions, but likewiſe to make the harbour more ſecure and ſafe to

the ſhips that ride there; for want of this it is like a great man of war at anchor, and the garriſon are confined to the town, not being permitted to go into the country upon any account; and tho' it be a ſecure retreat againſt the Moors, 'tis by no means ſo againſt the Spaniards, whoſe batteries can annoy almoſt the whole harbour, ſo that hardly any ſhip can lie there in ſafety. To ſay the truth, our miniſtry never acted, as if they intended to keep poſſeſſion of it; but as if they only waited for a proper opportunity to deliver it up. I have been informed, that his late majeſty wrote a letter to the king of Spain with his own hand, in which he promiſed to reſtore it; but, upon finding how diſagreeable it would be to his people, excuſed himſelf from performing it. Our poſſeſſion of it muſt undoubtedly be a great eye-ſore to Spain, between whom and us, it is our mutual intereſt to cultivate a ſtrict friendſhip. Suppoſe the Spaniards were maſters of Plymouth, would the Britiſh nation ever be eaſy, till they had recovered it out of their hands? If therefore, ſome place, equally advantageous to us, and leſs invidious to them, could be given for it, undoubtedly it would be our intereſt to agree to an exchange; but ſtill that miniſter would deſerve to loſe his head, who

ſhould omit any ſteps, that are neceſſary for the preſervation of it, till ſuch an equivalent can be had. I have heard Ceuta or Oran mentioned, but they would engage us in a continual war with the Moors, who are too ſtrong for us totally to extirpate or ſubdue, and too poor for us to gain ſufficient by any advantages we might have over them, to reimburſe us in the expences of the war, and conſequently, neither of theſe places would be at all eligible. An Iſland would be beſt, as moſt eaſily defended; and if there be a good harbour in the Canary Iſlands, one of them would be as uſeful to our Eaſt and Weſt India trade, as Minorca is to our Straits trade.

But till ſuch an equivalent can be found out, and an exchange agreed upon, it is to be wiſhed, that the place was made as agreeable and eaſy to the inhabitants, and the poſſeſſion of it as little expenſive to the nation as poſſible. The governors have too frequently acted in a more arbitrary and tyrannical manner, than would have been permitted in Turkey; their power being reſtrained by no civil juriſdiction, is unlimited, except with regard to life and death, and the governors have often exerted it with impunity ſo far, as to commit actions, for which a Turkiſh baſhaw would have loſt his

his head. You have heard of the Jew who was kidnapped by one governor, and ſent to Barbary, with this meſſage from his Britiſh excellency, to the Mooriſh baſhaw, that he had ſent him a fat gooſe to pluck. The poor Jew was releaſed by captain Smith, who now commands his majeſty's ſhips on the coaſt of Scotland, and protected by him from the malice and avarice of the governor, with a ſpirit, that became a Britiſh officer, and the well known character of that worthy man, who not only poſſeſſes all the qualities requiſite to form a brave and gallant officer, and a faithful ſubject, but adorns and beautifies them with all thoſe amiable virtues, that flow from an exalted benevolence of ſoul. But, what is ſurprizing, and a great reproach to our nation, the poor Jew never obtained any ſatisfaction, at leaſt, that I have heard of; tho' he complained to the privy council, and the thing was too notorious and flagrant to be denied. The preſent governor, general Hargrove, has even exceeded him juſt now hinted at, and is, perhaps, as great a tyrant as lives. Some ſtretches of his power came within my own knowledge, and go far beyond any thing, which a perſon born and bred in England, could conceive an Engliſh governor would attempt. But I ſhall wave mentioning particulars, as it would

be only tedious to you, and not anſwer the purpoſe of this letter, which is deſign'd only to point out ſuch grievances, as may be remedied, and by being remedied, the public ſerved; and never to deſcend to particulars, unleſs requiſite to illuſtrate the argument.

The government of Gibralter is altogether military. Upon complaint made againſt ſome former governors, I believe a civil magiſtrate with the title of chief juſtice of Gibralter was appointed; but I never heard that he went there. When I was at that place, the governor was the only magiſtrate, and his will was the ſole law by which he governed. I ſhall trouble you only with one inſtance out of many, of the exerciſe of his arbitrary power, becauſe the miſchiefs flowing from it, may eaſily, and ought immediately to be remedied. All communication with Gibralter is prohibited by the Spaniards on pain of death; however, a ſecret trade is carried on, and the garriſon might eaſily be ſupplied with fruits, greens, and freſh proviſion from thence, Barbary, and Portugal, at a very tolerable rate; but the governor will permit but one butcher in the garriſon, who, for his licence and monopoly, is ſaid to furniſh the governor's table. Hence it is, that the importation of all live cattle, nay, even of a quarter of mut-

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ton is prohibited to the officers themſelves, without leave firſt obtained from his excellency, which, with regard to live cattle, is ſcarce ever granted to any but the butcher: and even a quarter of Engliſh mutton, tho' deſigned as a preſent to an officer, to whom it is a more acceptable one, than a haunch of the fineſt veniſon would be in England, has been frequently ſtoped, unleſs a joint was given to the governor. Nay, if by great favour he had given leave to any of the officers of the garriſon to keep a cow, a goat, or a ſow, he would then forbid them to kill any thing without firſt acquainting and obtaining his excellency's permiſſion for it; and threatened to break an officer, and the chaplain of the garriſon for diſobedience of orders, becauſe each of them had killed a ſucking pig, without his knowledge and conſent. So that whether thro' the avarice or neglect of the butcher, I have frequently known mutton ſo ſcarce, that, what our ſervants would not eat in England, was ſold for a piſtole a quarter; nay, once I knew a moidore a quarter given*.

* The reader will be pleaſed to remember, that this letter was wrote in the year 1748. The author has been informed, that the governors of Gibralter have behaved with much more moderation ſince that time, than their predeceſſors.

You will wonder then, how the officers and ſoldiers can live upon their pay; but you are to know, that all the military, and indeed, all reſiding in that place in the government's ſervice, have a certain allowance of ſalt proviſions, bread, flour, and I think, cheeſe and butter, from the government. Fiſh is plenty and cheap enough, and wine not very dear. Indeed, the governor, to prevent the horrid crime of drunkenneſs, lays a ſmall duty upon all imported wine, and a farther tax upon all taverns or ſuttling houſes, by which a conſiderable revenue is brought into his pocket; but tho' this be ſaid to be done with a deſign to prevent drunkenneſs, it is really the cauſe of the crimes being encouraged to a ſhameful degree. Indeed, I would lay it down for a maxim, that no governor ſhould ever be permitted to gain by the vice, intemperance, or folly of the people, leſt, for a little immediate profit to himſelf, he ſhould be tempted to ſacrifice the cauſe of virtue and the public good, and connive at, and encourage practices, which he ought to reſtrain. Nay, we have ſeen one inſtance in our own country, where the miſchief to the morals and health of the people was ſo flagrant, that a prohibition ſeemed abſolutely neceſſary, as in the drinking of gin,

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yet becauſe putting a ſtop to it, would, as it was ſuppoſed, leſſen the public revenue for the preſent, the practice of it is ſhamefully permitted; tho' it is evident to a demonſtration, that the true ſtrength and riches of a nation conſiſts in the number and health of the inhabitants, and whatever tends to leſſen or impair either of them, as immoderate drinking of this accurſed liquor certainly does, tends likewiſe to weaken the nation, and by a wiſe and judicious adminiſtration will always be prevented, as much as poſſible. But to return from this digreſſion.

Gibralter, as a frontier town, muſt be liable frequently to be under a military government; whenever a ſiege is begun, or even apprehended, the governor muſt have very great power lodged in his hands for the preſervation of the place; he muſt have a power of removing all ſuſpected and uſeleſs perſons out of the place; of quartering his ſoldiers, where they may be moſt ſecure, or moſt in readineſs to annoy the enemy; of pulling down thoſe buildings that may be a ſhelter to the enemy. All this, a governor muſt have a power of doing, where the danger is great and imminent, and the good of the ſervice requires it. But in time of peace, there is no reaſon why the inhabitants, who are

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not ſoldiers, nor at all dependant upon any branch of the military, may not be governed by Britiſh laws, and magiſtrates of their own chooſing: ſuppoſing the perſons elected and the electors to be Britiſh, or natives of Gibralter, and proteſtants, and even allowing the governor to put his negative upon any ſuſpected perſon that ſhould be elected, without being obliged to give his reaſon why, to any perſon but the king, or ſuch as he ſhould appoint to receive it. This ſurely would be ſufficient to prevent any faction or diſobedience to the governor's juſt orders, and yet would be a great privilege to the inhabitants. And, if Gibralter was declared a free port to all nations; and liberty given to bring in all proviſions without any duty at all, and only a ſmall duty upon all other commodities imported, except ſuch, as too free an uſe of would be hurtful to the garriſon, as ſpiritous liquors (and upon them, if not abſolutely prohibited, yet the duty ought to be ſo great, as to prevent the poor from committing any exceſs with them) and the monies thus raiſed, and likewiſe from the rents of houſes applied towards the payment of the garriſon, Gibralter would undoubtedly be ſoon one of the moſt conſiderable places for traffick in Europe,

rope, and almoſt able to defray the expences of keeping it.

But, if due care has not been taken for the ſecurity and improvement of Gibralter, our neglect has been ſtill greater with regard to Minorca, a place which has all the advantages that Gibralter has, tho' in a much higher degree, and none of the diſadvantages. As it is an Iſland at a diſtance from the continent, which has oftener than once changed its maſters, the poſſeſſion of it is not ſo invidious to the Spaniards; and our government might by proper means be made agreeable and habitual to the natives: and as we are maſters at ſea, the defence of it is more eaſy to us, as attacking it muſt be more difficult to our enemies. The harbour of Mahon is one of the fineſt in the world, capable to contain and protect all the royal navies in Europe; ſo that our fleets may winter there, clean and repair, without any danger or moleſtation; our men may refreſh themſelves, and be permitted to go aſhore, without much hazard of their being able to run away, and our ſquadrons be ready at any time of the year to ſail from thence to annoy the trade, or alarm the coaſts of our enemies in thoſe parts, without fear of intelligence being ſent of their deſigns.

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To ſecure and improve ſuch a valuable acquiſition, ſurely merited the greateſt care of our miniſters. Whether they have paid that regard to it, which its importance deſerves, will appear, by what I ſhall lay before you.

Minorca is an Iſland in the Mediterranean, not very diſtant from the ſouth coaſts of France, eaſt coaſts of Spain, weſt coaſts of Italy, and northern coaſts of Barbary; ſituated in a fine climate, between 39 and 40 degrees of N. latitude. It is about 33 miles long, and between eight and twelve miles broad. The advantage of a place ſo ſituated with ſuch an harbour, as has been mentioned, muſt appear at once. It makes us reſpectable to all the Italian ſtates, and to thoſe of Barbary; in a French or Spaniſh war, whether to annoy them or to protect our trade, it is ineſtimable, and every other nation in Europe, who have any trade in the Mediterranean, will feel the conſequences of it, while it is in our poſſeſſion, by having a ſure aſylum there, if they are our friends, and by the miſchiefs our men of war and privateers from thence, can do them, if our enemies.

As Minorca is at ſuch a diſtance from England, three things at firſt ſight appear abſolutely neceſſary for its ſecurity. Such fortifications as cannot eaſily be taken; a garriſon

ſon ſufficient to defend them, and well provided with all neceſſaries for its defence; and the inhabitants to be attached firmly to our intereſt, that in caſe of a ſudden and unexpected attack, we may be ſure of their aſſiſtance.

The only place of ſtrength in the iſland is the caſtle of St. Philips, which is indeed very ſtrong, and commands the entrance of the harbour of Mahon; but its works are ſo large, that I am aſſured by good judges, at leaſt eight thouſand men are requiſite to man, and defend them ſufficiently. Our troops in the iſland generally conſiſt of five regiments, which if full, amount to no more than three thouſand five hundred men, but are often ſhort of complement, and, perhaps, very much ſo; ſo that if France or Spain ſhould attack that place unexpectedly, and our fleet have a long paſſage before they got to Minorca, the iſland might be loſt for want of men, and, if once loſt, might be too difficult to be recovered, ſince the value of it is better known now, than it was before we were maſters of it.

But oppoſite to St. Philips is Cape Mola, where I am well aſſured by the beſt judges, that at a ſmall expence, a fortreſs might be rais'd, which would be almoſt impregnable, would have the ſame command of the harbour,

bour, as St. Philips has, might be defended by half the number, that the fortification of St. Philips require. Works have been begun there, but diſcontinued; why, I know not; but all judges, that ever I have converſed with, were unanimous in their opinion, that there is the moſt proper place for a fortreſs of any in the iſland. This, then, ſeems to be one capital error, to have ſuch extenſive works in a place ſo remote from England, and a garriſon not ſufficient to defend them, eſpecially, when it would not be difficult to erect a ſtronger fortreſs, which the garriſon uſually maintained in the iſland, would be ſtrong enough to defend.

To aſſiſt the garriſon upon a ſudden attack, it would be highly advantageous, to make the conſtant inhabitants of the iſland our firm friends. This might have been done, either by buying their property, and peopling the iſland with Britiſh and Iriſh, or uniting our intereſt, and that of the Minorquins firmly together. Both theſe ways were, I believe, practicable; but neither of them have ever been attempted.

The rent of the lands and houſes of the iſland of Minorca is computed to be about 10,000 pounds a year: it could not be ſo much when we were firſt maſters of the iſland; for under the benign adminiſtration

of the worthy governor Kane, the value of lands was almoſt doubled; but ſuppoſe that had really been the value of the lands, and twenty years purchaſe had been paid for them, which would have amounted to two hundred thouſand pounds, moſt, if not all the proprietors would have freely conſented, and the Iſland might have been peopled with Britiſh ſubjects, every man of whom would have been willing, in caſe of a ſudden attack, to have aſſiſted the garriſon to defend the place. Nor would the government have loſt their money; they would have found it a cheap purchaſe, as the lands were capable of great improvement; and tho' the firſt occupiers of them would merit, and expect ſome encouragement, yet in time both principal and intereſt might have been repaid, without any hardſhip to the inhabitants.

But, if this method was not thought proper, another way might certainly have been taken; and that was, to unite the Minorquins as cloſely to us as poſſible, and make their intereſt and inclinations the ſame, as ours.

To effect this a mild and eaſy adminiſtration is the firſt ſtep to be taken. Tho' the governors of Minorca have not, as far as I could learn, exerted their power ſo tyrannically, as ſome at Gibralter; yet ſtill, I am afraid,

afraid, ſome too juſt cauſes of complaint have been given. Many complaints are lodged againſt the late governour general A—r, and perhaps ſome are too true; but Spain is remarkable for ſuffering the governors, ſhe ſends abroad, to behave tyrannically, as France is the contrary; and I really believe our yoke, with all the faults of our governors, has been more eaſy to the Minorquins, than that of the Spaniards.

Minorca was happy under the adminiſtration of one governor, Mr. Kane. Tho' I had not the honour perſonally to know him, he being dead before I was at Minorca, yet the amiable character I heard of him from every body who knew him, made ſuch an impreſſion upon me, that the very mention of his name warms me. He was a lover of mankind, and a father to the people he governed; their intereſts, as far as was conſiſtent with his duty to his king and country, were his. A parent could not more ſtudiouſly promote the good of his family, then he did that of the Minorquins: He made a road from one end of the iſland to the other worthy of an old Roman. He tried every method, which prudence could ſuggeſt, and lenity permit, to rouſe them from their indolence and ſloth, and excite them to induſtry,

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by which means he almoſt doubled (as I before obſerved) the value of the lands of the iſland. May his memory be for ever honoured, and his example followed by others of his ſtation. But to ſhew that the governed are often guilty of diſcontent and faction, as well as the governors of tyranny and avarice, there were, as I have been informed, ſeveral complaints made even againſt Mr. Kane, which, when examined, were found to be either entirely groundleſs, or to redound very much to his honour, being occaſioned by having, ſometimes from his true ſenſe of religion, put a ſtop to the pride, the folly, and ſuperſtition of the Minorquin clergy.

But men are much more ſenſible, of what they want, than what they enjoy. An eaſy adminiſtration therefore will not be ſufficient to make the Minorquins our firm friends, while there is but little connection between us; and their intereſt in many things inconſiſtent with our government. The French, I am informed, encourage in their colonies in America, any connection or intimacies with the Indians; and, in my opinion, they act very prudently by ſo doing; for the conveniencies and eaſe, that attend a civil life, ſo much exceed thoſe, that the Americans poſſeſs, that ſuch connections will, by de-

grees, notwithſtanding all the prejudices of education, naturally draw men over to the ſame way, and conſequently make the Indians who have any connection with the French become likewiſe Frenchmen in time. We do not take this method in Minorca (nor indeed I believe any where elſe) and the Minorquins are to this day very little connected with us, any more than is abſolutely unavoidable, and would to a man riſe againſt us, were any troops to land in the iſland from Spain.

Our regiments never ſtay long in one place, but change their quarters every year. There are ſome reaſons alledged, why troops in England ſhould not ſtay long in one place; but they can have no weight here; and, as none of the quarters in Minorca are bad, it would ſerve many good purpoſes, if they were to continue in the ſame quarters as long as they ſtaid in the Iſland; it would encourage the ſoldiers to induſtry, and the officers to purchaſe lands, and make improvements, by which they might have by degrees a conſiderable property in the Iſland, and facilitate an acquaintance with the natives, which would more and more reconcile them to us.

But nothing would unite them ſo effectually to us, as to bring them over to the proteſtant

teſtant religion; this would make them enemies to all popiſh powers, and as much to be depended upon, as the inhabitants of Jerſey and Guernſey. It may appear difficult to be done; however I make no queſtion, but it may be effected by degrees; but providence often infatuates thoſe, whom it is reſolved to puniſh; not the leaſt ſtep has been taken towards it, the revenues belonging to the biſhop of Majorca, in whoſe dioceſe it is, have been appropriated to other uſes, and too many apparent proofs have been given, that the Engliſh have no regard to religion at all. The Engliſh church at Ciuadella was ſold by one governor to the Minorquins, the Engliſh chapel at Furnelles has ſhamefully been converted into a ſtorehouſe for liquors, &c. the five regiments have each a chaplain belonging to them, but I never knew more than one reſident there. The Iſland has likewiſe a chaplain; but for ſome years paſt it has been made a fine cure, ſo that there is only one miniſter to perform divine ſervice to the five regiments, ſome of which are thirty miles diſtant. I leave you to judge therefore, whether he can perform his duty, as he ought, to the Engliſh, without having a moment to beſtow upon the converſion of Minorquins. Indeed they are ſo prejudiced againſt us upon theſe accounts, that we may be ſure of their

being our enemies, not only if the Spaniards, but alſo, if any other popiſh power make a deſcent upon the Iſland.

You will blame the chaplains for not being with their regiments, and attending upon their duty. Undoubtedly they are to be blamed, and very much. But the caſe is this, the chaplainſhips are conſidered as a perquiſite of the colonels; they ſell them, and, in order to advance the price as much as poſſible, tell the purchaſers, they need not be with their regiments; their abſence ſhall be diſpenſed with; they need only pay a deputy, and the chaplain, who goes abroad, is deputy to the other four; the purchaſers then conſider them as fine cures, and calculate how much intereſt they ſhall have for their money, but never conſider the duty that is incumbent upon them from their office.

In my opinion, both colonels and chaplains are to be blamed. I look upon all ſelling of places to be bad, but particularly ſo with regard to eccleſiaſtical preferments; where merit, and not money, ſhould recommend, and a ſtrict performance of duty ſhould be always indiſpenſibly required; but I muſt add, that it is in the power of the adminiſtration to force every perſon employed by the government, to attend upon his duty, and, if they do not, they alſo are

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blameable; if the clergy are not willing to go, where their duty calls them, they ſhould be commanded to go, or reſign their poſt to others who will, and puniſhed at leaſt as ſeverely for a neglect of it, as others would be.

Some however have ſaid, that it would be impoſſible to bring the Minorquins over to the proteſtant religion, and that by treaty they are to be permitted the uſe of their own, and conſequently cannot be forced. Was there no ſuch treaty ſubſiſting, I ſhould be againſt uſing force which I am ſure is contrary to the true ſpirit of the chriſtian religion; but, tho' I believe it would be difficult, I am far from thinking it impoſſible, and am ſure it is worth attempting both in a religious and political view.

In order to this, it would be proper firſt of all to oblige the chaplain of the iſland, and the chaplain of every regiment there conſtantly to reſide, and do duty; the firſt, where the governor thinks moſt proper, and the others, where their reſpective regiments are. It would be proper likewiſe, that the public duties of religion ſhould be performed with great ſolemnity, and all the officers and ſoldiers required to attend, and behave with decency; the Minorquins ſhould be invited to ſee our manner of pub-

lic worſhip, eſpecially ſuch of them, as underſtood the Engliſh language. Curioſity has great force; and as hitherto they have thought, that we had no religion, ſo, when they found, that we worſhipped the ſame God, and the ſame Saviour, as they did, they would be better diſpoſed to enquire into the differences between us and them, and their prejudices would inſenſibly leſſen.

Then not only what revenues belong to the biſhop of Majorca ſhould be applied to this end, but alſo a thouſand pounds a year more added; and with this let the bible, ſome of the beſt of our practical books and ableſt writers againſt the church of Rome be tranſlated into Spaniſh, and about 20 of our clergy, young men, and who had an aptneſs to learn and ſpeak foreign languages, of good character both for morals and learning, and ſkillful in ſome other uſeful arts, beſides divinity, ſuch as phyſic, mathematicks, &c. be ſent there under the direction of a biſhop, one, who had ſtudied men as well as books, and who was zealous for the glory of God and ſalvation of men, be diſperſed about the iſland, but without any particular diſtrict or pariſh at firſt; and ſome of them teach ſchool and the Engliſh language, others the ſciences, and all of them the true chriſtian religion; if any of them ſhould be

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guilty of immorality, to be puniſhed in an exemplary manner, and upon a repetition of it, to be ſent out of the iſland. They need not preach publickly, unleſs, where there were ſome proteſtant families; but their buſineſs, who did not teach ſchool or the ſciences, ſhould be, to get acquainted with the natives, to inſinuate themſelves into their good opinion, by affability, a readineſs to oblige and ſerve them, and by an exemplary life, and then to put into the way of the natives the bible, and ſuch other books, as might by degrees open their eyes to the errors of the church of Rome, and reconcile them to ours.

It will be ſaid perhaps, that the Romiſh clergy would not ſuffer their people to converſe with ours, or to read any books, that ſhould be given them. I know they would do all in their power to prevent it; but they could not abſolutely do it; curioſity would prevail with many.

Beſides many ways might be taken gradually to leſſen the influence, that their clergy have over them. If a ſtrict enquiry was made into the lives of their monks, I am confident it would turn out as much to their diſadvantage, as it did to the monks of our country in the reign of Henry VIII. and would have the ſame effect upon the people

people in Minorca, as it had in England. Their parochial clergy are more ſtrict and circumſpect, but then all the pariſhes are in the gift of the crown, and, as they fall vacant, care might be taken to give the cures to ſuch men, as were not averſe to reformation, or at leaſt to thoſe, who were not capable of doing much hurt.

The number of the parochial clergy is but ſmall in compariſon of that of the monks, and if the monks were once rooted out of the iſland, as the patronage of the livings is in the crown, it would not be difficult in time to bring all the parochial clergy over to the intereſt of a reformation; and then I cannot ſee, that any treaty can bind us, to make the people continue in popiſh ſuperſtition and ignorance contrary to their inclinations.

Other methods likewiſe might be taken to haſten this good work; ſuch as encouraging marriages between the Engliſh and them, and putting the children of ſuch marriages entirely into the hands of proteſtants, * taking all minors, whoſe parents are dead into the protection of the crown, and making it death for any Romiſh clergyman to inter-

* By doing this in Scotland, the noble and powerful family of Gordon, and ſeveral others, have been brought over to the proteſtant religion.

meddle

meddle in the leaſt in their education, forbidding any Minorquins children to be ſent out of the iſland to be educated; if the monks are found guilty of ſuch diſorders, as will juſtify ſeizing upon their revenues, to give what tythes they are poſſeſſed of, for the maintenance of the proteſtant clergy, and the reſt of their revenues * to erect good ſeminaries for education of youth and workhouſes; putting both under the direction of the proteſtant clergy, but allowing the Papiſts to ſend their children to the ſchools, and their poor to the workhouſes, if they pleaſe, without compelling them to renounce the popiſh religion; buying and encouraging to buy, any eſtates, that are to be ſold, eſpecially ſuch, as are not much cultivated, and capable of improvement; forming the proteſtant inhabitants into a regular militia, and duely exerciſing them; but keeping the Papiſts under the ſame reſtriction, as to arms, that they now are; governing the proteſtants by Engliſh forms, and encouraging the uſe of the Engliſh language, as much as poſſible. If any Minorquin ſhould embrace the proteſtant religion, to give him proper encouragement according to his rank and ſtation; at leaſt to take care, that any

* The great benefit of proteſtant ſchools has been proved by experience in Ireland.

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diſadvantages he may ſuffer for leaving his own party be amply compenſated by our government.

Let me add, Sir, I would by all means encourage the proteſtant clergy there to marry. Deſires, planted in us by nature, are not to be rooted out by us; they may be confined; but like a hidden fire, they will break out more fiercely in ſome irregular way, as is conſtantly the caſe in all Popiſh countries; conſult the ends, for which providence implanted them, and follow them, and then every individual will be happy, and the community flouriſhing.

Thus, Sir, I have given you my thoughts upon the value of theſe two important places, and the ways to improve and ſecure them. Whatever difficulties may at firſt ſight appear in following thoſe methods, I am confident, they will be found very practicable, and let me add, ſucceſsful, if heartily attempted.

I am,

Sir,

Your moſt humble ſervant.

FINIS.